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THE

**HISTORY OF INDIANA,**

FROM ITS

EARLIEST EXPLORATION BY EUROPEANS,

TO THE

CLOSE OF THE TERRITORIAL GOVERNMENT IN 1816:

WITH AN INTRODUCTION CONTAINING

**HISTORICAL NOTES**

OF THE

**DISCOVERY AND SETTLEMENT**

OF THE

TERRITORY OF THE UNITED STATES NORTHWEST OF THE RIVER OHIO.

BY JOHN B. DILLON.

VOLUME I.

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## PREFACE.

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AMONG the Historical Notes which constitute the introduction to this History of Indiana, I have inserted many official documents relating to the early affairs, civil and military, of the vast region which was formerly called the Territory of the United States northwest of the river Ohio. From a very great number of printed authorities, and from many thousand pages of old manuscript records and letters, I have selected only those statements which appear to be well authenticated, and connected, either directly or remotely, with the origin and progress of civilization in that large domain. With a sincere desire to cast from my mind those popular prejudices which have had their origin in ambitious contentions between distinguished individuals, or in national partialities and antipathies, or in improbable narratives and fanciful conjectures, or in conflicting political systems, or in different creeds of religion, I have labored for several years, with constant and careful perseverance, to find out and to perpetuate all the important facts which properly belong to an impartial history of Indiana from its earliest exploration by Europeans to the close of the Territorial Government in 1816.

Many interesting particulars concerning the discovery and settlement of the northwestern territory have been gleaned from the voluminous writings of divers Catholic missionaries, and French travellers, who visited the valley of the Mississippi at different periods in the course of the eighteenth century: and here it is proper to say that my thanks are especially due

to the Rev. Mr. MARTIN, of Vincennes; to J. W. RYLAND, Esq. of Cincinnati; to J. B. DURET, Esq. of Logansport; and to Dr. MUNSELL, of Indianapolis; from whom, collectively, I have received essential assistance in the examination of a large collection of French records, and in the task of translating sundry French ordinances, and other public documents.

A list of the names of persons from whom I have received rare and valuable manuscripts, and aid and encouragement in the midst of perplexing difficulties, shall be published in the form of an appendix, at the close of the second volume of this work. The following is a list of the titles of the principal authorities which I have examined, carefully, in the course of a laborious investigation of confused traditions, contradictory narratives, and questionable records:—

American Archives: Fourth Series: Containing a Documentary History of the English Colonies in North America, from the King's message to Parliament, of March 7, 1774, to the Declaration of Independence by the United States.—Published at Washington, by M. St. Clair Clarke and Peter Force, under authority of an act of Congress, passed on the 2d of March, 1833.

American State Papers: Documents, Legislative and Executive, of the Congress of the United States, from the first session of the first to the third session of the thirteenth Congress, inclusive: Commencing March 3, 1789, and ending March 3, 1815.—Selected and edited, under the authority of Congress, by Walter Lowrie, Secretary of the Senate, and Matthew St. Clair Clarke, Clerk of the House of Representatives.

An Historical and Chronological Deduction of the Origin of Commerce, from the earliest accounts: Containing an history of the great commercial interests of the British Empire, &c.—By Adam Anderson. 4 vols. quarto; London, 1801.

Reports from Committees of the [British] House of Commons, from 1715 to 1801: Ordered by the House of Commons to be printed. 15 vols. quarto.

Meres' Annual "Historical Register, containing an impartial relation of all transactions, Foreign and Domestic," from 1714 to 1737. 22 vols. 12mo.; London.

Dodsley's Annual Register, from 1758 to 1819. 61 vols. 8vo.; London.

Minutes of the Provincial Council of Pennsylvania, from 1683 to 1736. 3 vols. 8vo.

A collection of all the Laws of Virginia, from the first session of the Legislature in 1619 to the year 1792: By William Waller Hening. 13 vols. 8vo.

The Diplomatic Correspondence of the American Revolution: Published under the direction of the President of the United States, from the original manuscripts in the Department of State, conformably to the resolutions of Congress, of March 27th, 1818: Edited by Jared Sparks. 12 vols. 8vo.

Secret Journals of the Congress of the Confederation: Published under the direction of the President of the United States, conformably to resolution of Congress of March 27, 1818, and April 21, 1820.

Journals of the American Congress, from 1774 to 1778. 4 vols. 8vo.

Laws of the United States.

Journal of the Executive Proceedings of the Senate of the United States of America, from the commencement of the first to the termination of the nineteenth Congress: Printed by order of the Senate of the United States.

Journals of Congress.

Elements of General History: Translated from the French of the Abbe Millot. Part second—Modern History. 3 vols. 8vo.; London, 1779.

The Writings of George Washington; being his correspondence, addresses, messages, and other papers, official and private, selected and published from the original manuscripts, by Jared Sparks. 12 vols. 8vo.

The works of Benjamin Franklin, containing several political and historical tracts, not included in any former edition, and many letters official and private not hitherto published, with notes and a life of the author: By Jared Sparks. 10 vols. 8vo.; Boston, 1840.

History of the Political Systems of Europe and its Colonies, from the discovery of America to the independence of the American continent: By A. H. L. Heeren, professor of History in Gottingen, and member of the Royal French Academy of Inscriptions. [Translated from the German, by George Bancroft.] 2 vols. 8vo.

The History of the United States of North America, till the British Revolution in 1688: By James Grahame, Esq. 2 vols. 8vo.

The Annals of America, from the discovery of Columbus, in the year 1492 to the year 1826: By Abiel Holmes, D. D. 2 vols. 8vo.

The Diplomatic Correspondence of the United States of America, from the signing of the definitive treaty of peace, 10th September, 1783, to the adoption of the Constitution, March 4, 1789: Published under the direction of the Secretary of State.

Transactions and Collections of the American Antiquarian Society. 2 vols. 8vo.

Tracts and other Papers, relating principally to the origin, settlement, and progress of the Colonies in North America, from the discovery of the country to the year 1776: Collected by Peter Force. 2 vols. 8vo.

A General History and Collection of Voyages and Travels, arranged in systematic order, forming a complete history of the origin and progress of Navigation, Discovery, and Commerce, by sea and land, from the earliest ages to the present time; By Robert Kerr, F. R. S. and F. A. S. 18 vols. 8vo.; Edinburgh, 1816.

The History of the discovery and settlement of America: By William Robertson, D. D., Principal of the University of Edinburgh, &c. &c. &c. 1 vol. 8vo.

The History of Louisiana, particularly of the cession of that Colony to the United States of America: By Barbe Marbois. 1 vol. 8vo.

Memoir, Correspondence, and Miscellanies from the papers of Thomas Jefferson: Edited by Thomas Jefferson Randolph. 4 vols. 8vo.; 1830.

The History of New Hampshire, comprehending the events of one complete century, from the discovery of the river Piscataqua: By Jeremy Belknap, A. M. 3 vols. 8vo.

The History of Pennsylvania, in North America, from the original institution and settlement of that Province, under the first Proprietor and Governor William Penn, in 1681, till the year 1742; and a brief description of the said Province, and of the general state in which it flourished, principally between the years 1760 and 1770. By Robert Proud. 2 vols. 8vo.

History of the Colonization of the United States: By George Bancroft. 3 vols. 8vo.

A History of the Colonies planted by the English on the continent of North America, from their settlement to the commencement of the war which terminated in their independence: By John Marshall. 1 vol. 8vo.

Laws of the Colonial and State Governments relating to Indians and Indian Affairs, from 1633 to 1831, inclusive. 1 vol. 8vo.

The Life of Thomas Jefferson, third President of the United States, with parts of his Correspondence never before published: By George Tucker, professor of Moral Philosophy in the University of Virginia. 2 vols. 8vo.; 1837.

Notes on the State of Virginia: By Thomas Jefferson. 1 vol. 12mo.

The Life of Joseph Brant—Thayendanegea; including the Border Wars of the American Revolution, and sketches of the Indian Campaigns of Generals Harmar, St. Clair, and Wayne; and other matters connected with the Indian Relations of the United States and Great Britain, from the Peace of 1783 to the Indian Peace of 1795. By William L. Stone. 2 vols. 8vo.

The History of the late Province of New York, from its discovery to the appointment of Governor Colden, in 1762: By the Hon. William Smith, formerly of New York, and late Chief Justice of Lower Canada: Published under the direction of the New York Historical Society. 2 vols. 8vo.

The Book of the Indians; or, Biography and History of the Indians of North America, from its first discovery to the year 1841: By Samuel G. Drake, Fellow of the Royal Society of Northern Antiquaries, at Copenhagen, honorary member of the New Hampshire and New York Historical Societies. 1 vol. 8vo.

The History of Kentucky: exhibiting an account of the modern discovery, settlement, progressive improvement, civil and military transactions, and the present state of the country: By H. Marshall. 2 vols. 8vo.; 1824.

A History of the State of Ohio, Natural and Civil: By Caleb Atwater, A. M., member of the American Antiquarian Society, &c. &c. &c. 1 vol. 8vo.

A Chronological History of New England, in the form of Annals: being a summary and exact account of the most material transactions and occurrences relating to this country, in the order of time wherein they happened, from the discovery of Capt. Gosnold in 1602, to the arrival of Governor Belcher, in 1730: By Thomas Prince, M. A. 1 vol. 8vo.

A Narrative of the Mission of the United Brethren among the Delaware and Mohegan Indians, from its commencement, in the year 1740, to the close of the year 1808: By John Heckewelder, who was many years in the service of that mission. 1 vol. 8vo.

Narrative of an Expedition to the source of St. Peter's river, &c., performed in the year 1823, under the command of Stephen H. Long, Major U. S. T. E. 2 vols. 8vo.

An account of Expeditions to the sources of the Mississippi, and through the western parts of Louisiana; performed by order of the government of the United States, during the years 1805, 1806, and 1807: By Major Zebulon M. Pike. 1 vol. 8vo.

The History of Maryland, from its first settlement, in 1633, to the Restoration, in 1660; with a copious introduction and notes and illustrations: By John Leeds Bozman. 2 vols. 8vo.

The Statutes at Large of South Carolina, containing the acts from 1682 to 1786: edited under authority of the Legislature, by Thomas Cooper, M. D. L. L. D.

A History of the Commonwealth of Kentucky, from its earliest exploration and settlement by the whites, to the close of the northwestern campaign, in 1813: By Mann Butler. 1 vol. 8vo.

A Political and Civil History of the United States of America: By Timothy Pitkin. 2 vols. 8vo.

A view of the soil and climate of the United States of America, with supplementary remarks upon Florida, on the French Colonies on the Mississippi and Ohio, and in Canada; and on the Aboriginal tribes of America: By C. F. Volney. Translated from the French, by C. B. Brown. 1 vol. 8vo.

Condensed History of Michigan, from its earliest colonization to the present time. By James H. Lanman. 1 vol. 18mo.; 1841.

Sketches of History, Life, and Manners, in the West: By James Hall.

A Condensed Geography and History of the Western States, or the Mississippi Valley :  
By Timothy Flint. 2 vols. 8vo.

A collection of some of the most interesting Narratives of Indian Warfare in the West :  
By Samuel L. Metcalf. 1 vol. 12mo.

Sketches of Western Adventure : By John A. M'Clung. 1 vol. 12mo.

Indian Biography, or an Historical Account of those individuals who have been distinguished among the North American nations as Orators, Warriors, Statesmen, and other remarkable characters : By B. B. Thatcher, Esq. 2 vols. 13mo.

Three Years Travels through the interior parts of North America, for more than five thousand miles : By Captain Jonathan Carver, of the Provincial troops in America. 1 vol. 12mo.

Laws adopted and made by the Governor and Judges of the Territory of the United States northwest of the river Ohio.

Acts of the First General Assembly of the Northwestern Territory.

Laws made and adopted by the Governor and Judges of the Indiana Territory.

Acts of the General Assembly of the Indiana Territory.

An Oration delivered at Marietta, July 4, 1788, by the Hon. James M. Varnum, Esq. one of the Judges of the Western Territory : the speech of his Excellency Arthur St. Clair, Esquire, upon the proclamation of the commission appointing him Governor of said Territory ; and the proceedings of the inhabitants of the city of Marietta : Printed by Peter Edes, Newport, Rhode Island, 1788.

J. B D.

Indianapolis, 25th November, 1843.



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# HISTORICAL NOTES.

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## CHAPTER I.

THE fertile and populous states of Indiana, Ohio, Illinois, and Michigan, contain within their limits, collectively, the fairest portion of that large region which, from 1787 to 1800, was known and governed as "THE TERRITORY OF THE UNITED STATES NORTH-WEST OF THE RIVER OHIO." This Territory, in its greatest extent, was bounded on the south by the river Ohio, on the east by Pennsylvania, and on the north and west by the lines which divided the United States from the dominions of Great Britain and Spain. Almost a century and a half passed away after the discovery of America, before any portion of this region was explored by Europeans.

During the course of the sixteenth century, the Spaniards, the English, and the French, struggling separately against many formidable obstacles, and suffering many disasters and defeats, persevered steadily in their efforts to establish colonies in North America. In 1568, the Spaniards made their first effectual settlement, in Florida. The English made their first permanent settlement, in 1607, at Jamestown, in Virginia. The French planted a small colony at Port Royal, in Nova Scotia, in 1605; and three years afterwards, in 1608, a number of adventurers from France founded the city of Quebec. From this time until 1763, a period of one hundred and fifty-five years, France and Great Britain were the great rivals in the contests concerning the commerce, the territory, and the government, of North America. The rivalry of these nations

contributed to subdue the wilderness, and to lay the foundations of freedom and civilization in the new world.

At an early period it was an avowed object of the directors of the ecclesiastical power at Quebec to spread the doctrines of the Catholic Church as far as the remotest bounds of the western territory, and thus to civilize the Aborigines and establish the dominion of France over those distant regions. First among those who toiled and suffered to achieve these great objects were missionaries of the Jesuit order. This religious order was founded at Rome, in 1539, by Ignatius Loyola, a Spaniard, of a warm imagination, which early awakened in him a zeal for religion. The members of the order were bound by the vows of poverty, chastity, and implicit obedience to their superiors. In addition to these vows, they bound themselves to go, unhesitatingly, and without recompense, whithersoever their superiors should send them, as missionaries for the conversion of the heathen, or for the service of the Church in any other way, and to devote all their power and means to the accomplishment of the work.\*

In 1634, the Jesuits Brebœuf and Daniel joined a party of Hurons who were returning from Quebec, and passing through the Ottawa river, these missionaries established a station near a bay of Lake Huron, "where they daily rang a bell to call the savages to prayer, and performed all those kind offices which were calculated to secure the confidence and affection of the tribes on the lake shores."†

In 1665, some attempts were made to establish missionary stations near the southwestern extremity of Lake Superior, and at or near Green Bay on Lake Michigan; and in 1668, the Mission of St. Mary was founded by Claude Allouez, James Marquette, and Claude Dablon, on the southern shore of the strait between Lake Superior and Lake Huron. This was the first settlement made by Europeans within the boundaries of the state of Michigan.

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\*Enc. Am. vol. vii, p. 198.

†Lanman.—[In 1629 the General Assembly of the Colony of Virginia ordered war to be prosecuted against the Indians, "and no peace made with them."—Hen. Stat. i, 159.

In 1670, Great Britain had nine colonies in America. These colonies were established at different points adjacent to the Atlantic coast, and between the 32d and 45th degrees of north latitude. About eighty years after this period, the English made their first attempt to plant a colony on the western side of the Allegheny mountains.

The French, in 1670, had extended their settlements westwardly along the shores of the St. Lawrence, and on the northern borders of Lake Ontario and Lake Erie. Jesuit missionaries had explored the country bordering upon the great Lakes, as far westward as the head of Lake Superior. Missionary stations were established among many of the Indian tribes; and, to advance and protect the lucrative Fur Trade, small stockade forts and trading posts had been erected at various eligible points.

An indolent and licentious king, Charles II., was at this time on the throne of England. Louis XIV. a bold and ambitious man, was the reigning monarch of France, and the great Jean Baptiste Colbert was his minister of finances. The influence of the brilliant and expansive genius of this minister inspired the colonists of Canada with an ardent desire to extend the dominions and exalt the glory of the French Monarchy. The ecclesiastical, the civil, and the military authorities established at Quebec, were united in their efforts to increase the number of missionary stations, trading posts, and forts, on the borders of the lakes, and to extend the power of France over the Indian tribes of the west. The missionaries and the traders, acting under the instructions which they received from their official superiors, induced a number of the principal men of different tribes to assemble, in May 1671, at the Falls of St. Mary, between Lake Superior and Lake Huron. At this assemblage St. Lusson, with Allouez as interpreter, appeared as the representative of M. Talon, who was the Intendant of New France; and there were delegates "from the head waters of the St. Lawrence, the Mississippi, the lakes, and even the Red river; and veteran officers from the armies of France, intermingled

here and there with a Jesuit Missionary."\* A cross was raised—the arms of France were marked upon a cedar post—and the passive representatives of the savage tribes were told that they were under the protection of the king of the French.

In 1672, the missionaries Allouez and Dablon explored the eastern part of Wisconsin, the northeastern portion of Illinois, and, probably, traversed that part of Indiana which lies north of the river Kankakee. At this time the Pottawattamies resided on the islands called Noquet, near the entrance of Green Bay, and a branch of the nation of Miami Indians occupied the country which lies on the southern borders of Lake Michigan.†

Before 1673, the French had received from the Indians many accounts concerning a great river at the west, which flowed southwardly; and the place at which this river entered the sea became a matter of interesting speculation. "There were three opinions on the subject: First, that it ran towards the southwest, and entered the Gulf of California: secondly, that it flowed into the Gulf of Mexico: and thirdly, that it found its way in a more easterly direction, and discharged itself into the Atlantic ocean, somewhere on the coast of Virginia. The question was not less important in a commercial and political view, than interesting as a geographical problem. To establish the point, and to make such other discoveries as opportunities would admit, M. de Frontenac, the Governor of Canada, encouraged an expedition to be undertaken. The persons to whom it was entrusted were M. Joliette, a resident of Quebec, and the missionary Marquette who was then [1673] at Michilimackinac, or in the vicinity of that place."‡

On the 13th of May, 1673, Marquette, Joliette, and five persons of less note, left Michilimackinac, in two bark canoes, and commenced their voyage of discovery. Proceeding southwestwardly, the voyagers entered Green Bay; and passing

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\*Lanman.

†Transactions and Collections Am. Ant. Society, ii, 27.

‡Sparks' Abstract of Marquette's Narrative.

through that bay, they ascended the Fox river, until they arrived at a village where Miamies, Mascoutins,\* and Kickapoos, were dwelling together. In the centre of this village, which, at a previous time, had been visited by Allouez, the Indians had erected a large cross. This emblem was curiously decorated with thank-offerings to the Great Spirit. The Miamies were friendly and liberal, and the finest looking men. They were good warriors, successful in their expeditions, docile, and fond of instruction. The Mascoutins and Kickapoos were coarser and less civilized. To the people of this village Marquette and Joliette explained the objects of their expedition. They gave some small presents to the chiefs, and requested the assistance of two guides to put them in their way. This request was granted, and two Miamies embarked with them, on the 10th of June, 1673. These guides conducted the exploring party safely up the Fox river to a point where that stream approaches the head waters of the river Wisconsin. The canoes were then transported over a portage, about one mile and a half across, to the waters of the latter stream. The Miami guides then returned to their village, and Marquette and his companions embarked on their voyage down the Wisconsin. On the 17th of June they entered the waters of the Mississippi, and began to float down its current. "From the time of leaving their guides they descended the two rivers more than one hundred leagues, without discovering any other inhabitants of the forests, than birds and beasts. They were always on their guard, kindling a fire on the shore, towards evening, to cook their food, and afterwards anchoring their canoes in the middle of the stream during the night. They proceeded thus for more than sixty leagues from the place where they entered the Mississippi, when, on the 21st of June, they perceived on the bank of the river the footsteps of men, and a well-beaten path leading into a beautiful prairie. They landed and leaving the canoes under the guard of their boatmen, Mar-

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\*Charlevoix says that the word "Mascoutenck" means "a country without woods—a prairie." It is probable, therefore, that the name Mascoutins was used to designate Prairie Indians.—[Arch. Am. ii, 61.]

quette and Joliette set forth to make discoveries. After silently following the path for about two leagues, they perceived a village situate on the margin of a river, and two others on a hill, within half a league of the first. As they approached nearer they gave notice of their arrival by a loud call. Hearing a noise, the Indians came out of their cabins; and, having looked at the strangers for a while, they deputed four of their elders to talk with them. Two of them brought pipes ornamented with feathers, which, without speaking, they elevated towards the sun, as a token of friendship. Gaining assurance from this ceremony, Marquette addressed them, enquiring of what nation they were. They answered that they were Illinois, and, offering their pipes, invited the strangers to enter their village; where they were received with every mark of attention, conducted to the cabin of the chief, and complimented on their arrival by the natives, who gathered round them, gazing in silence.”\*

The chief of all the Illinois tribe received them in a friendly manner; and when Marquette explained, at a council, the motives which induced him and his followers to press forward to the Mississippi, and into the country of the Illinois, the chief in reply, expressed his approbation of their enterprise; but, in the name of the whole nation, urged the adventurers to avoid the dangers of a further voyage down the Great River. Kindly rejecting this advice, the voyagers descended the Mississippi to the mouth of the Arkansas, where they were received at an Indian village and supplied with provisions.

It was supposed, at that time, (1673) that the Gulf of Mexico extended as far north as thirty-one degrees and forty minutes. Marquette and Joliette, therefore, “believed themselves not to be more than two or three days’ journey from it: and it appeared to them certain that the Mississippi must empty itself into that Gulf, and not into the sea through Virginia, at the eastward, because the coast of Virginia was in latitude thirty-four degrees, at which they had already arrived; nor yet into the Gulf of California at the southwest, because they had found

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\*Sparks’ Abstract of Marquette’s Narrative.

the course of the river to be invariably south. Being thus persuaded that the main object of their expedition was attained; and considering moreover, that they were unable to resist the armed savages who infested the lower parts of the river, and that, should they fall into the hands of the Spaniards, the fruits of their voyage and discoveries would be lost, they resolved to proceed no farther; and having informed the natives of their determination, and rested another day, they prepared for their return." \*

On the 17th of July, 1673, Marquette and his companions left the Indian village of Akamsca, [Arkansas] and began to retrace their way to Canada. They ascended the Mississippi to the mouth of the river Illinois, and, following the meanders of the latter stream, as it flowed through a beautiful and fertile region, arrived at an Indian village, where they were hospitably welcomed, and kindly entertained, by the inhabitants. On their departure from this village, they were accompanied by a chief and a number of young men, as far as the western shore of Lake Michigan. The exploring party then directed their course towards Green Bay, where, late in September, they arrived in safety, after an absence of about four months. The tidings of their discoveries soon spread throughout the French colonies in North America, and opened a new field for the labors of missionaries, and for the operations of those colonists who were engaged in the profitable inland commerce of that time.

Marquette continued to labor as a missionary among the Indians about the borders of Lake Michigan, until the 18th of May, 1675, when he died suddenly, on the banks of the river which still bears his name. He was a native of Picardy, and "one of the most illustrious missionaries of new France." †

Some time after the expedition of Marquette and Joliette, Robert Cavelier de La Salle, a native of Normandy, who arrived at Quebec about the year 1670, formed the project of exploring the country from the St. Lawrence to the Gulf of

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\*Sparks' Abstract of Marquette's Narrative.

†Charlevoix.

Mexico, taking possession of the remote regions in the name of the king of France, and constructing fortifications at the most eligible places near the shores of the lakes and on the borders of the navigable rivers of the west. It was his object, by this means, to extend the power of France over a mild region of "wonderful extent and unparalleled fertility."\* Having disclosed his gigantic project to Frontenac, the Governor-general of Canada, La Salle went to France for the purpose of obtaining for his enterprise the sanction of the king. Louis XIV., not content with merely approving his design, "caused orders to be given to him, granting him permission to go and put it in execution; and to assist him to carry so vast a project into effect, shortly after, the necessary succors were furnished him."† He sailed from Rochelle, with his lieutenant Tonti, and thirty men, on the 14th of July, 1678, and arrived at Quebec on the 15th of September of the same year. From Quebec La Salle proceeded to Fort Frontenac, at the outlet of Lake Ontario; where, awaiting his arrival, and ready to accompany him on his exploring expedition, he found Louis Hennepin, a missionary of the Franciscan order.

On the 18th of November, Hennepin and an officer whose name was La Motte, embarked, with fourteen men, in a vessel of ten tons burthen. "We sailed on," says Hennepin, "till we came to the further end of the lake Ontario, and on the 6th of January [1679] entered the river Niagara, where we set our carpenters and the rest of the crew to work in building a fort and some houses; but, foreseeing that this was like to give jealousy to the Iroquese [Five Nations]‡ and to the English

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\*Chase.

†Last Discoveries in North America, of M. de La Salle, published by the Chevalier Tonti, Governor of the fort of St. Louis, at the Illinois: Paris, 1697.—[The volume originally published in Paris, in 1697, as by Tonti, is of very doubtful authenticity, though in most points it must be correct; as it agrees in most points with Charlevoix's account, which was drawn from independent sources.]—North Am. Review, vol. xlviii, p. 32.

‡The Five Nations were the Mohawks, the Oneidas, the Cayugas, the Onondagas, and the Senecas. In 1677, an agent of Virginia held a conference with these Nations, at Albany, and estimated the number of their warriors as follows: Mohawks, 300; Oneidas, 200; Onondagas, 350; Cayugas, 300; Senecas, 1,000: Total, 2,150. About the year 1711, the Tuscaroras retired from Carolina and joined the Iroquois confederacy, which, after that event, became known as the Six Nations.

who dwell near them and have a great commerce with them, we told those of the village of Niagara that we did not intend to build a fort on the bank of their river, but only a great store-house to keep the commodities we had brought to supply their occasions. And to remove their suspicion, M. de la Motte thought it absolutely necessary to send an embassy to the Iroquese; telling me 'he was resolved to take along with him seven men out of the sixteen that we were in all, and desired me to accompany him, because I understood in a manner the language of their nation.' We passed through forests thirty-two leagues; and after five days' journey came to a great village, and were immediately carried to the cabin of their principal. The younger savages washed our feet, and rubbed them over with the grease of deer, wild goats, and oil of bears. They are for the most part tall and well shaped, covered with a sort of robe made of beavers' and wolves' skins or black squirrels,' and holding a pipe or calumet in their hands. The Senators of Venice do not appear with a graver countenance, and perhaps do not speak with more majesty and solidity than those ancient Iroqueses. One of our men who well understood their language, told the assembly—1. That we were come to pay them a visit, and smoke with them in their pipes. Then we delivered our presents, consisting of axes, knives, a great collar of white and blue porcelain, with some gowns. The same presents were renewed upon every point we proposed to them. 2. We desired them to give notice to the five cantons of their nation, that we were about to build a ship or great canoe above the great fall of the river Niagara, to go and fetch European commodities by a more convenient passage than that of the river St. Lawrence, whose rapid currents made it dangerous and long: and that by these means we should afford them our commodities cheaper than the English of Boston, or the Dutch, at that time masters of New York. This pretence was specious enough, and very well contrived to engage the barbarous nation to extirpate the English and Dutch out of that part of America. 3. We told them that we should provide them at the river Niagara with a blacksmith and gunsmith

to mend their guns, axes, &c. they having nobody among them that understood that trade. We added many other reasons which we thought proper to persuade them to favor our design. The presents we made unto them in cloth or iron, were worth above four hundred livres, besides some other European commodities very scarce in that country: for the best reasons in the world are not listened to among them unless they are enforced with presents. The next day their speaker answered our discourse, article by article, seeming to be pleased with our proposals, though they were not really so, having a greater inclination for the English and Dutch than for us."

From this interview with the Iroquois, Hennepin and his party returned through the woods to the river Niagara, where they arrived on the 14th of January. Acting under the commands of La Salle, who joined them on the 20th, the party went "two leagues above the great fall of Niagara, and made a dock for building the ship." At this place a vessel of sixty tons was built and launched. She was called "The Griffin," and carried five small guns.

On the 7th of August, 1679, La Salle and his party, being in all thirty-four men, among whom there were three priests, Louis Hennepin, Gabriel Ribourdie and Zenobe Mambre, went on board the Griffin, and sailed from the mouth of Lake Erie. "On the 11th August," says Hennepin, "we entered a strait thirty leagues long and one broad, except in the middle which makes the Lake of St. Clair. On the twenty-third we got into the Lake Huron. The twenty-sixth we had so violent a storm that we brought down our yards and topmasts, and let the ship drive at the mercy of the wind, knowing no place to run into to shelter ourselves. M. de La Salle, notwithstanding he was a courageous man, began to fear, and told us we were undone; whereupon every body fell on his knees to say his prayers and prepare for death, except our pilot, whom we could never oblige to pray; and he did nothing all that while but curse and swear against M. de La Salle, who had brought him thither to make him perish in a nasty lake, and lose the glory he had acquired by his long and happy navigations on the ocean.

When the wind abated we hoisted sail, and the next day [28th of August, 1679,] arrived at Missilimakinak. On the second of September we weighed anchor, and sailed to an island at the mouth of Baie des Puans, [Green Bay] forty leagues from Missilimakinak. An Indian chief who had been formerly in Canada, received us with all the civility imaginable. M. de La Salle, without asking any other body's advice, resolved to send back the ship to Niagara, laden with furs and skins, to discharge his debts. Our pilot and five men with him were therefore sent back; and ordered to return with all imaginable speed to join us towards the southern parts of the lake, where we should stay for them among the Illinois. They sailed the eighteenth with a westerly wind, and fired a gun as taking leave. It was never known what course they steered, nor how they perished; but it is supposed that the ship struck upon a sand-bank, and was there buried. This was a great loss for M. de La Salle and other adventurers, for that ship with its cargo cost about sixty thousand livres."

On the 19th of September, 1679, La Salle and fourteen of his followers, among whom was the Franciscan Hennepin, embarked in canoes, and, leaving an island near the mouth of Green Bay, they steered southwardly toward the head of Lake Michigan. Tonti was ordered to collect the rest of the adventurers, and to proceed with them to the southern shores of the lake, where the two parties were to be united. "We steered," says Hennepin, "to the south towards the continent, distant from the island near forty leagues. On the first of October, [1679,] after twelve leagues rowing, we were in so great danger by stress of weather, that we were forced to throw ourselves into the water, and carry our canoes on our shoulders to save them from being broken to pieces. I carried Father Gabriel [Ribourdie] on my back, whose great age, being sixty-five years, did not permit him to venture into the water.

"Having no acquaintance with the savages of the village near which we landed, we prepared to make a vigorous defence in case of an attack; and in order to it, possessed ourselves of a rising ground, where we could not be surprised.

We then sent three men to buy provisions in the village, with the Calumet or Pipe of Peace, which those of the island had given us. And because the Calumet of Peace is the most sacred thing among savages, I shall here describe the same. It is a large tobacco pipe, of a red, black, or white marble. The head is finely polished. The quill, which is commonly two foot and a half long, is made of a pretty strong reed or cane, adorned with feathers of all colors, interlaced with locks of women's hair. Every nation adorns it as they think fit, and according to the birds they have in their country. Such a pipe is a safe conduct among all the allies of the nation who has given it: and in all their embassies the Calumet is carried as a symbol of peace. The savages being generally persuaded that some great misfortune would befall them, if they should violate the public faith of the Calumet. They fill this pipe with the best tobacco they have, and then present it to those with whom they have concluded any great affair, and smoke out of the same after them.

“Our three men, provided with this pipe, and very well armed, went to the little village three leagues from the place where we landed; but finding nobody therein, took some Indian corn, and left instead of it some goods, to let them see that we were no robbers, nor their enemies. However, twenty of them, armed with axes, small guns, bows and clubs, advanced near the place where we stood: whereupon M. de La Salle, with four men very well armed, went toward them to speak with them, and desired them to come near us, for fear a party of our men who were gone a hunting, should meet them and kill them. They sat down at the foot of the eminence where we were posted, and M. de La Salle spoke to them all the while concerning his voyage, which he told them he had undertaken for their good and advantage. This was only to amuse them till our three men returned, who appearing with the Calumet of Peace, the savages made a great shout, and rose, and began to dance. We excused our taking some of their corn, telling them we had left the true value of it in goods; which they took so well that they sent immediately

for more, and gave us next day as much as we could carry away in our canoes. They retired towards evening, and M. de La Salle ordered some trees to be cut down, and laid across the way, to prevent any surprise from them. The oldest of them came to us next morning with their Calumet of Peace, and brought us some wild goats. We presented them with some axes, knives, and several little toys for their wives, with which they were well pleased.

“We left that place the second of October, [1679,] and coasted along the lake, which is so steep that we could hardly find any place to land. The violence of the wind obliged us to drag our canoes sometimes to the top of the rocks to prevent their being dashed in pieces. The stormy weather lasted four days, during which we suffered very much, and our provisions failed us again; which, with the fatigues of rowing, caused old Father Gabriel to faint away in such a manner that I thought verily he could not live. We had no other subsistence but a handful of Indian corn once every twenty-four hours, which we roasted or else boiled in water; and yet rowed almost every day from morning till night. Being in this dismal distress, we saw upon the coast a great many ravens and eagles, from whence we conjectured there was some prey; and having landed upon that place, we found above the half of a fat antelope which the wolves had strangled. This provision was very acceptable to us, and the rudest of our men could not but praise the divine Providence who took so particular a care of us. Having thus refreshed ourselves, we continued our voyage directly to the southern part of the lake. On the 16th [October] we met with abundance of game. A savage we had with us killed several stags and wild goats, and our men a great many turkeys, fat and big; wherewith we provided ourselves for several days, and so embarked again. On the first of November [1679] we came to the mouth of the River of the Miamies,\* which runs from the south-east and falls into the lake. Here we spent all that month

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\*The St. Joseph of Lake Michigan.

in building a fort eighty feet long and forty feet wide, made of great square pieces of timber laid one upon the other."

On the third of December, 1679, La Salle, having been reinforced by the arrival of Tonti, placed a garrison of ten men in the new fort at the mouth of the River of the Miamies, and with the remainder of his followers, started again on his voyage of discovery. "On the third of December," says Hennepin, "we embarked, being thirty-three men, in eight canoes, and having rowed about twenty-five leagues up the River of the Miamies to the south-east, we could not find the place where we were to land and carry our canoes and equipage into the River of the Illinois,\* which falls into the Mississippi. Our savage who was hunting ashore, not finding us at the place of portage, came higher up the river, and told us we had missed it. So we returned and carried our canoes over land to the head of the Illinois river, which is but a league and a half from that of the Miamies. We continued our course upon this river very near the whole month of December, towards the end of which we arrived at the village of the Illinois, about one hundred and thirty leagues from fort Miamis.

"We found nobody in the village, which caused a great perplexity among us; for though we wanted provisions, yet we durst not meddle with the corn they had laid under ground for their subsistence, and to sow their lands with; it being the most sensible wrong one can do them, in their opinion, to take some of their corn in their absence. However, our necessity being very great, and it being impossible to continue our voyage without it, M. La Salle took about forty bushels of it, hoping to appease them with some presents. We embarked again with this fresh provision, and fell down the river the first of January, 1680. \* \* \* Although we used all the precaution we could, we found ourselves on a sudden in the middle of the camp of the Illinois, which took up both sides of the river. The Illinois being much terrified, though they were several thousand men, tendered us the Calumet of Peace, and we offered them ours. M. La Salle presented them with Mar-

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\*The river Kankakee.

tinico tobacco, and some axes. He told them, 'he knew how necessary their corn was to them; but that being reduced to an unspeakable necessity when he came to their village, and seeing no possibility to subsist, he had been forced to take some corn from their habitations without their leave: that he would give them axes and other things, in lieu of it, if they could spare it; and if they could not, they were free to take it again.' The savages considered our proposals, granted our demands, and made an alliance with us.

"Some days after, Nikanape, brother to the most considerable man among them, who was then absent, invited us to a great feast; and before we sat down, told us, 'that he had invited us not so much to give us a treat, as to endeavor to dissuade us from the resolution we had taken to go down to the sea by the great river Mississippi.' He said, 'that the banks of that river were inhabited by barbarous and bloody nations, and that several had perished upon the same enterprise.' Our interpreter told him by order of M. La Salle, 'that we were much obliged to him for his advice; but that the difficulties and dangers he had mentioned, would make the enterprise still more glorious: that we feared the Master of the life of all men, who ruled the sea and all the world; and therefore would think it happiness to lay down our lives to make his name known to all his creatures.' However, Nikanape's discourse had put some of our men under such terrible apprehension, that we could never recover their courage, nor remove their fears; so that six of them who had the guard that night, (among which were two sawyers, the most necessary of our workmen for building our ship,) ran away, taking with them what they thought necessary. But considering the country through which they were to travel and the season of the year, we may say, that for avoiding an uncertainty, they exposed themselves to a most certain danger. M. La Salle seeing those six men were gone, exhorted the rest to continue firm in their duty; assuring them, that if they were afraid of venturing themselves upon the river of Mississippi, because of the dangers Nikanape had mentioned, he would give them leave to

return next spring to Canada, and allow them a canoe to make their voyage; whereas they could not venture to return home at this time of the year, without exposing themselves to perish with hunger, cold, or the hands of the savages.

"On the fifteenth [January, 1680,] we made choice of an eminence on the bank of the river, defended on that side by the river, and on two others by two deep ditches made by the rains, so that it was accessible only by one way. We cast a line to join those two natural ditches, and made the eminence steep on every side, supporting the earth with great pieces of timber. By the first of March our fort was finished, and we named it *Crevecœur*,\* because the desertion of our men, with the difficulties we labored under, had almost broke our hearts. We had also built a bark for the continuance of our discovery. It was forty-two feet long by the keel, and was in such a forwardness, that we should have been in a condition to sail in a very short time, had we been provided with all other necessities. But hearing nothing of our ship *Griffin*, and therefore wanting the rigging and all other tackle we expected by her, we found ourselves in great perplexity, and did not know what to do in this sad juncture, being above five hundred leagues from Fort Frontenac; whither it was almost impossible to return at that time, because the snow made travelling very dangerous by land, and the ice made it impracticable to our canoes.

"M. La Salle did now no longer doubt but his beloved *Griffin* was lost; but neither this nor the other difficulties dejected him. His great courage buoyed him up, and he resolved with three men to return to Fort Frontenac, by land, notwithstanding the snow and the unspeakable dangers attending so great a journey, and to bring along with him the necessary things to proceed on our discovery; while I, with two men, should go in a canoe to the river *Mississippi*, to get the friendship of the nations inhabiting the banks thereof. Then calling his men together, told them, 'he would leave M. Tonti

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\*Broken Heart.—[This fort stood on the western banks of the Illinois river, at the lower part of Lake Peoria.]

to command in the fort, and desired them to obey his orders in his absence; to live in a christian union and charity; to be courageous and firm in their design.' He assured them, 'he would return with all the speed imaginable, and bring with him a fresh supply of meat, ammunition, and rigging for our bark; and that in the mean time he left them arms and other things necessary for a vigorous defence, in case their enemies should attack them before his return.' Then telling me, 'that he expected that I should depart without further delay,' he embraced me, and gave me a Calumet of Peace, with two men to manage our canoe, Picard and Ako, to whom he gave some commodities to the value of about one thousand livres, [francs] to trade with the savages or make presents. He gave to me in particular, and for my own use, ten knives, twelve shoemaker's awls or bodkins, a small roll of Martinico tobacco, two pounds of rassade, i. e. little pearls or rings of colored glass to make bracelets for the savages, and a small parcel of needles; telling me, 'he would have given me a greater quantity if it had been in his power.' Thus [on the 29th February] relying on the providence of God, and receiving the blessing of father Gabriel, I embraced all our men, and took my leave of M. La Salle."\*

About the 12th of April, 1680, Hennepin and his companions were seized by a party of Indians, and carried northward as far, at least, as the Falls of St. Anthony. The adventurers continued to reside among their captors until the fall of 1680, when the Indians permitted them to return to Canada.

La Salle remained at Fort Crevecœur until the 8th of November, 1680, when, leaving that post under the command of Tonti, he took his departure for Canada, to obtain supplies and reinforcements. On the third day of his journey from Fort Crevecœur, he arrived at the principal village of the Illinois Indians, "where he thought he ought to build a fort, *upon a height commanding the whole country*, as well to make himself master of all the different tribes, as to serve for a retreat and

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\*Hennepin's Narrative—Transactions and Col. of the Am. Antiq. Soc. vol. 1, p. 61.

rampart for the French people.”\* The height, on which La Salle determined to build a fort is now called Rock Fort. It stands on the left bank of the river Illinois, in La Salle county. It is a cliff of parallel layers of white sandstone, rising about two hundred and fifty feet high, nearly perpendicular on three sides, and washed at its base by the river. On the fourth side it is connected with the adjacent range of hills by a narrow peninsular ledge, which can only be ascended by a winding path. The summit of Rock Fort, which contains about three-fourths of an acre, is covered with a soil of several feet in depth.† Having determined to fortify this height, La Salle sent a plan to Tonti, and ordered him “to set to work upon it without delay.” Tonti accordingly went and began the building of the fort, which was called Fort St. Louis; but a spirit of insubordination arose among his men, and he soon abandoned the work, and returned to Fort Crevecœur. Here he tarried until the month of September, 1681, when a large number of Iroquois warriors, having made an incursion into the country of the Illinois, appeared suddenly in the neighborhood of the fort. Failing in an attempt to make himself a mediator between the Iroquois and Illinois, Tonti evacuated Fort Crevecœur, about the middle of September, and with five men retired to the shores of Lake Michigan.

In the spring of 1682, La Salle, with a few recruits, again appeared in the country of the Illinois. He placed a small garrison in Fort Crevecœur, renewed his attempt to build Fort St. Louis; and in the month of August again returned to Canada, to collect reinforcements for his voyage down the Mississippi. This voyage was commenced on the Illinois river, in January, 1683.‡ On the 2d of February, La Salle and his exploring party reached the Mississippi; and, continuing their voyage down that river, they arrived at its mouth on the 9th of April, 1683. There, near the shores of the Gulf of Mexico, they built several huts, erected a cross, fastened the arms of

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\*Tonti.

†Schoolcraft.

‡North American Review, No. CII.

France upon a tree, and gave to the country which they had explored the name of Louisiana. Having thus accomplished the object of his expedition, La Salle returned to Canada, passing through the Illinois, and by the way of Michilimackinac. In the month of September, before he left the latter post, he ordered Tonti to go and finish Fort St. Louis. "He charged me," says Tonti, "with the duty to go and finish Fort St. Louis, of which he gave me the government, with a full power to dispose of the lands in the neighborhood, and left all his people under my command, with the exception of six Frenchmen, whom he took with him to accompany him to Quebec. We departed [from Michilimackinac] on the same day, he for Canada, and I for the Illinois."

When La Salle arrived at Quebec, "he informed the whole city of his great discoveries, and of the voluntary submission of many different Indian nations to the power of the king of France. A Te Deum was celebrated as a thanksgiving for this happy accession to the glory of the crown. The eagerness of M. de La Salle to go and make known to the king and his ministers the success of his travels, obliged him to hasten his departure. He left Canada in the early part of the month of October, 1683."\* On his arrival in France he was received with many marks of distinction by Louis XIV. and his ministers; and the accounts which he gave to his monarch, concerning the country of Louisiana, induced the king to favor its colonization. A squadron of four vessels was fitted out, and about two hundred persons embarked in these vessels for the purpose of making a settlement at the mouth of the river Mississippi. One of the ships was a royal frigate, of forty guns, commanded by M. de Beaujeu. La Salle and his principal followers embarked on this vessel; and the small squadron sailed from Rochelle, on the 24th of July, 1684. On the 20th of September, it arrived at the island of St. Domingo, where, by the force of various adverse circumstances, it was detained until the 25th of November. After leaving that island, the adventurers descried the coast of Florida on the 28th of De-

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\*Tonti.

cember, 1684; and La Salle, having heard much about the current that set in to the eastward in the Gulf of Mexico, supposed that the squadron was far to the eastward of the mouth of the river Mississippi. He, therefore, bore away westwardly, and, probably, about the 10th of January, 1685, passed the mouth of the Mississippi, without perceiving it. About the middle of February, the colonists landed at the head of the Bay of St. Bernard, and began to make a settlement on the western bank of the Colorado, in Texas, at a point distant more than one hundred leagues from the mouth of the Mississippi. Beaujeu, with his vessel, returned to France. Of the other ships, one was captured by the Spaniards, and two went to pieces on the coast, near the Bay of St. Bernard.

A plain, impartial, and interesting account of the tragical close of the adventurous career of La Salle, is here given in the words of Bossu:—"The colonists immediately began erecting a fort. As soon as the work was somewhat advanced, M. de La Salle gave Joutel orders to finish it; left him the command of it, and about one hundred men; he took the rest of his people, and embarked on the river, with the resolution of going up as high as he could. Joutel stayed but a short time after him in the fort which had been begun; every night the savages were roving in the neighborhood; the French defended themselves against them, but with losses that weakened them. On the 14th of July Joutel received an order from M. de La Salle to join him with all his people. Many good stout men had been killed or taken by the Indians; others were dead with fatigue, and the number of sick increased every day: in a word nothing could be more unhappy than M. de La Salle's situation. He was devoured with grief; but he dissimulated it pretty well; by which means his dissimulation degenerated into a morose obstinacy. As soon as he saw all his people together, he began in good earnest to think of making a settlement and fortifying it. He was the engineer of his own fort; and being always the first to put his hand to work, every body worked as well as he could to follow his example. Nothing was wanting but to encourage this good will of the people;

but M. de La Salle had not sufficient command of his temper. At the very time when his people spent their force with working, and had but just as much as was absolutely necessary to live upon, he could not prevail on himself to relax his severity a little, or alter his inflexible temper, which is never seasonable, and less so in a new settlement. It is not sufficient to have courage, health, and watchfulness, to make any undertaking succeed. Many other talents are requisite. Moderation, patience, and disinterestedness are equally necessary. M. de La Salle punished the least faults with severity, and seldom any word of comfort came from his mouth to those who suffered with the greatest constancy. He had, of course, the misfortune to see all his people fall into a state of languor and despondency, which was more the effect of despair, than of excess of labor or scantiness of good nourishment. Having given his last orders at his fort, he resolved to advance into the country, and began to march\* on the 12th of January, 1687, with M. de Cavelier his brother, Moranget and the young Cavelier his nephews, Father Anastasius, a Franciscan friar, Joutel, Duhaut, L'Archeveque, de Marne, a German whose name was Hiens, a surgeon named Lietot, the pilot Tessier, Saget, and an Indian who was a good huntsman. As they advanced further into the country they found it inhabited; and when they were but forty leagues from the nation of the Ceniz, they heard that there was a Frenchman among those Indians. It was a sailor from Lower Bretany, who had lost himself when M. de La Salle first came down the Mississippi. Joutel went to fetch him from among those Indians. He only quitted them to be witness of a crime.

"The 17th [of March, 1687,] Moranget being on a hunting party, and having, as it is said, abused with words Duhaut,

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\*In undertaking this third expedition from his settlement on the Colorado, it was the intention of La Salle "to seek the Mississippi, and go onward to Canada, and thence to France, to get new recruits and supplies:"—[N. A. Rev. vol. xlviii, p. 92:] Nevertheless some Spanish writers have regarded this last expedition of La Salle as "a project of penetrating into the interior of the country, to see if he could discover the fabulous mines of Santa Barbara."—[Letter from the Spanish Minister, Don Luis de Onís, to John Q. Adams, in Am. State Papers, vol. xii, p. 30.]

Hiens, and the surgeon Lietot, those three men resolved to get rid of him as soon as possible, and to begin with the servant of M. de La Salle, and his Indian huntsman, who was called Nika, who both accompanied Moranget, and could have defended him. They communicated their design to L'Archeveque and the pilot Tessier, who approved of it, and desired to take part in the execution. They did not speak of it to the Sieur de Marne, who was with them, and whom they wished to have been able to get away. The next night, while the three unhappy victims whom they would sacrifice to revenge, slept very quietly, Lietot gave each of them several blows with the hatchet on the head. The Indian and the servant died immediately. Moranget raised himself so as to sit upright, without speaking a word; and the murderers obliged the Sieur de Marne to despatch him, threatening to kill him too, if he refused: thus, by making him an accomplice of their crime, they wanted to secure themselves against his accusing them. The first crime is always followed by uneasiness. The greatest villains find it difficult to conquer it. The murderers conceived that it would not be easy to escape the just vengeance of M. de La Salle, unless by preventing him; and this they resolved upon, after deliberating on the means of effecting it. They thought the safest way was to meet him, and surprise all that accompanied him; and so open themselves a way for the murder which they intended to perpetrate. So strange a resolution could only be inspired by that blind despair which hurries villains into the abyss which they dig for themselves. An unexpected incident became favorable to them, and delivered into their hands the prey which they sought for. A river that separated them from the camp, and which was considerably increased since they passed it, kept them two days; this retardment which, at first, seemed an obstacle to their project, facilitated the execution of it. M. de La Salle, wondering that his nephew, Moranget, did not return, nor either of the two men that were with him, determined to go and seek them himself. It was remarked that he was uneasy when he was going to set out, and enquired, with a kind of uncommon con-

cern, whether Moranget had quarrelled with any one. He then called Joutel, and entrusted him with the command of his camp, ordering him to go his rounds in it from time to time, and to light fires, that the smoke might bring him on his road again, in case he should lose his way. He likewise bid him give nobody leave to absent himself. He set out on the 20th, attended by Father Anastasius and an Indian. As he approached the place where the assassins had stopped, he saw some eagles soaring pretty near the place, and concluded that there was some carrion: he fired his gun; and the conspirators, who had not yet seen him, guessing that it was he who was coming, got their arms in readiness. The river\* was between them and him. Duhaut and L'Archeveque crossed it, and seeing M. de La Salle advancing slowly, they stopped. Duhaut hid himself in the long grass, with his gun cocked: L'Archeveque advanced a little more; and a moment after, M. de La Salle, knowing him, asked him where his nephew was. He answered that he was lower down. At the same instant Duhaut fired. M. de La Salle received the shot in his head, and fell down dead.

"It was the 20th of March,† 1687, that this murder was committed near the Ceniz. Father Anastasius seeing M. de La Salle drop down at his feet, expected that the murderers would not spare him, though they should have no other view in it than to get rid of a witness of their crime. Duhaut came near to quiet him, and told him that what they had done was an act of despair, and that they had long thought of revenging themselves on Moranget, who had endeavored to ruin them. Father Anastasius informed M. Cavelier of his brother's death. That gentleman told them, that if it was their intention to kill him likewise, he would forgive them his death before hand; and he only demanded, as a favor, a quarter of an hour to prepare himself for death. They replied that he had nothing to fear, and that nobody complained of him. Joutel was not then in the camp. L'Arche-

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\*A branch of Trinity River, in Texas.

†March 19.—Transactions and Collections of Amer. Antiq. Society, vol. i, p. 101.

veque, who was his friend, ran to inform him that his death was certain, if he showed any resentment of what had happened, or if he pretended to take advantage of the authority with which M. de La Salle had invested him. Joutel, who was of a very gentle temper, answered that they should be content with his conduct, and that he believed that they ought to be pleased with the manner in which he had hitherto behaved; and then he returned to the camp. As soon as Duhaut saw Joutel, he called out to him that every one should command by turns. He had already taken all the authority into his hands, and the first use he made of it, was to make himself master of the magazine. He divided it afterwards with L'Archeveque, saying that every thing belonged to him. There were about thirty thousand livres worth of goods, and near twenty-five thousand livres both in coin and in plate. The assassins had force and boldness on their side: they had shewn themselves capable of the greatest crimes: accordingly they met with no resistance at first. They soon divided, and quarrelled among themselves. They found difficulties in dividing the treasure; they came to blows, and Hiens fired his pistol at Duhaut's head, who reeled, and fell four yards from the place where he stood. At the same time, Rutel, the sailor, whom Joutel fetched from the Cenis, fired a gun at Lietot. That wretch lived yet several hours, though he had three balls in his body. So the two assassins, one of M. de La Salle, and the other of his nephew Moranget, were themselves the victims of that spirit of fury which they had inspired into this unhappy colony. The Indians knew not what to think of these murders. They were quite scandalized by them. They were in the right, and could with more reason treat those Frenchmen as barbarians, than we had to consider them as such. Be that as it will, such was the tragic death of Robert Cavelier Sieur de La Salle, a man of abilities, of a great extent of genius, and of a courage and firmness of mind which might have carried him to something very great, if with these good qualities, he had known how to get the better of his sullen, morose mind, to soften his severity, or rather the roughness of

his temper, and check the haughtiness with which he treated not only those who depended entirely upon himself, but even his associates."

In the autumn of 1684, the commandant of Fort St. Louis, in the Illinois, was informed by the Governor of Canada that La Salle had sailed from Rochelle, with four ships, for the Gulf of Mexico. Tonti, therefore, took with him forty men from Fort St. Louis, and went down the Mississippi to the Gulf, where he waited for La Salle, until Easter Monday, 1685.\* Disappointed, he was obliged to return; and on his way upwards, when he came to the Arkansas river, he says, "My French companions, delighted with the beauty of the climate, asked my permission to settle there. As our intention was only to humanize and civilize the savages, by associating with them, I readily gave my consent. I formed the plan of a house for myself at the Arkansas. I left ten Frenchmen of my company there, with four Indians, to proceed with the building, and I gave them leave to lodge there, themselves, and to cultivate as much of the land as they could clear. This little colony has since then† so much increased and multiplied, that it has become a resting place for the Frenchmen who travel in that country."

Soon after the fall of the conspirators, Duhaut and Lietot, a separation took place in the ranks of the surviving adventurers; the greater number of whom determined to remain among the Indians of Texas. Joutel, M. Cavelier, (the brother of La Salle,) the priest Anastasius, and four others, who were Frenchmen, renewed the attempt to find the river Mississippi, and the way to Canada. With the assistance of some Indian guides, they reached the river Arkansas, on the 24th of July, 1687, where they found the small colony which had been planted there in 1685, by Tonti. Joutel, and his companions, soon took their departure from the French settlement on the Arkansas, and continued their route towards Canada. On the 14th of September, they reached Fort St. Louis, on the Illinois

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\*American State Papers, vol. xii, p. 90.

†Tonti's Narrative was published in Paris, 1697.

river. At this post Joutel tarried until the month of March, 1688, when he set off for Quebec, and reached that place in the latter part of July of the same year.

The colony which La Salle had left on the Colorado, near the Bay of St. Bernard, was destroyed, in April, 1689, by a detachment of Spaniards, from Coahuila, under the command of Alonzo de Leon.

The death of La Salle, the active hostilities which, in 1689, broke out between the Iroquois and the colonists of Canada,\* and the wearisome wars in which France was engaged until the treaty of Ryswick, in 1697, combined to check the project of planting French colonies in the valley of the Mississippi. Between the years 1680 and 1700, several missionaries, among whom were Gabriel de la Ribourdie, Zenobe Mambre, Sebastian Rasles, and Jacob Gravier,† successively made efforts to instruct and civilize the Illinois Indians. A church “sufficiently regular,”‡ composed of a few Frenchmen, and, probably, a very small number of Indians, was founded at or near Fort St. Louis, which post was sometimes called the Grand Penasco or Great Rock. The war which the Iroquois carried on against the French and against the Miami and Illinois Indians, was the principal cause of the dispersion of the members of this church. A party of the Illinois Indians went down the river, and settled on the eastern bank of the Mississippi, on a prairie which lies about twenty-three miles below the mouth of the river Missouri. Missionaries, and a few traders and roving adventurers, followed them to their new settlement, which was called Cahokia. The traders, generally, formed matrimonial alliances with the Indians, and lived in amity with them. In the efforts that were made at this time to instruct the Illinois in the doctrines of the Christian religion, the suc-

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\*In the summer of 1689, the French settlement at Montreal was attacked by about twelve hundred Iroquois warriors, who “sacked all the plantations, and indiscriminately massacred men, women, and children.” Two or three hundred of the French were killed, and many were carried into captivity.—[Thatcher's Ind. Biog. ii, 48.—Drake, book v. 10.—Bancroft 3, 179.

†This missionary was the first to ascertain the principles of the Illinois language, and to reduce them to rules.—[Bancroft, iii, 196.

‡American State Papers, vol, xii, 33.

cess of the missionaries did not equal their zeal. From the 20th of March, 1695, to the 22d of February, 1699, seven persons were baptised by the missionary Jacob Gravier.\*

The beautiful prairies on the borders of the small river Kaskaskia (which enters the Mississippi at a point about one hundred miles above the mouth of the Ohio,) attracted the attention of the French adventurers in the Illinois country, and, about the close of the seventeenth century, a small number of them settled on the banks of that river, and became the founders of the village of Kaskaskia.

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\*Register of Baptisms in the Mission among the Illinois.

## CHAPTER II.

AT the time of the discovery of the mouth of the Mississippi by the French, the crown of Spain claimed the whole territory around the Gulf of Mexico from the peninsula of Yucatan to the southern cape of Florida, and all the vast regions lying to the east and north of New Mexico, as far as the rivers Mississippi and Missouri. This claim was founded, principally, on the discoveries which were made by Juan Ponce de Leon, in 1512,\* and by Hernando de Soto, between the years 1538 and 1542.† France, however, disregarding these pretensions of Spain, determined to persevere in her efforts to plant a colony at, or near, the mouth of the Mississippi, and to open an interior communication, for purposes of trade, between Canada and the Gulf of Mexico.

The wars in which France and England were engaged, from 1688 to 1697, retarded the growth of the colonies of those nations in North America; but soon after the peace of Ryswick, Louis XIV. determined to send a colony to Louisiana, and to maintain garrisons there for the protection of the colonists. Lemoine D'Ibberville was appointed Governor of Louisiana, and John Baptiste de Bienville was appointed Lieutenant Commandant of the province. Under the direction of these officers, in 1698, a number of adventurers emigrated from France, and, in the course of the succeeding year, founded a settlement at Biloxi, on the northern shores of Lake Borgne, between Mobile Bay and Lake Pontchartrain.

The early efforts which were made by France to establish colonies in the valley of the Mississippi, excited the jealousy

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\*Robertson's America, 101.

†American State Papers, xii, 27, 28.—[In 1541, Hernando de Soto crossed the Mississippi, about the 34th degree of north latitude.]

and the fears of some of the English statesmen of those times. In the year 1698, Dr. D'Avenant, Inspector General of the Customs, published some discourses on the Public Revenues and Trade of England. In one of these discourses, he said, "Should the French settle at the disemboguing of the river Mississippi, they would not be long before they made themselves masters of that rich province, *which would be an addition to their strength very terrible to Europe*; but would more particularly concern England: for, by the opportunity of that settlement, by erecting forts along the several lakes, between that river and Canada, they may intercept all the trade of our northern plantations."\*

During the period which elapsed between 1700 and 1712, the hostility of the Iroquois confederacy defeated the attempts which were made by the French to establish posts in the regions which lie adjacent to the southern shores of Lake Ontario and Lake Erie; but, in the month of June, 1701, Antoine de Lamotte Cadillac, accompanied by a missionary and one hundred men, left Montreal, and, in the month of July arrived at the site of Detroit, where the party founded a permanent settlement.

As early as 1705, Louis XIV. invested Lamotte Cadillac with power to grant or concede the lands about Detroit, in small lots, to French settlers. By the conditions of a grant† made by Cadillac, at Detroit, in 1707, the grantee was bound to pay a reserved rent of fifteen livres a year to the crown forever, in peltries, and to begin to clear and improve the concession within three months from the date of the grant. All the timber was reserved to the crown, whenever it might be wanted for fortifications, or for the construction of boats or other vessels. The property of all mines and minerals was reserved to the crown. The privilege of hunting rabbits, hares, partridges, and pheasants was reserved to the grantor. The grantee was bound to plant, or help to plant a long May-pole before the door of the principal Manor-house, on the first

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\*Anderson's History of Commerce, i, 25.

†This grant was two arpents in front by twenty in depth.

day of May in every year. All the grains of the grantee were to be carried to the mill of the manor, to be ground, paying the tolls sanctioned by the custom of Paris. On every sale of the land, a tax was levied; and, before a sale, the grantee was bound to give information to the government, and if the government was willing to take the land at the price offered to the grantee, it was to have it. The grantee could not mortgage the land without the consent of the government. For ten years the grantee was not permitted to work, or cause any person to work, directly or indirectly, at the profession and trade of a blacksmith, locksmith, armorer, or brewer, without a permit. All effects and articles of merchandise sent to, or brought from, Montreal, were to be sold by the grantee himself, or other person who, with his family, was a French resident; and not by servants, or clerks, or foreigners, or strangers. The grantee was forbidden to sell or trade brandy to Indians. He was to suffer on his lands the roads which might be thought necessary for the public utility. He was to make his fences in a certain manner; and, when called upon, he was bound to assist in making his neighbors' fences.\* Such were the conditions on which the first settlers at Detroit obtained grants of land from the commandants at that post.

Of the early French adventurers who emigrated from Canada to the western dependencies of that province, some settled at Detroit, a few gathered around the post of Michilimackinac, and others led a rambling life among various tribes of the Indians who occupied the territory northwest of the river Ohio. Mingled with these adventurers there were some ambitious and enterprising men who expected to derive great advantages from the prosecution of the Fur Trade. This trade was carried on by means of men who were hired to manage canoes, and to carry burthens of merchandise from the different trading posts to the principal villages of the Indians who were at peace with the French. At those villages the traders exchanged their wares for valuable furs, with which they returned to the places of deposit. The articles of merchandise

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\*American State Papers—(Public Lands)—vol. i, p. 261.

used in the Fur Trade were chiefly coarse blue and red cloths, fine scarlet, guns, powder, balls, knives, hatchets, traps, kettles, hoes, blankets, coarse cottons, ribbons, beads, vermillion, tobacco, &c. The poorest class of French fur traders sometimes carried their packs of merchandise, by means of leather straps, suspended from their shoulders, or resting against their foreheads. It is probable that the Indian villages on the borders of the river Wabash were visited, by some of this class of traders, before the foundation of the village of Kaskaskia. It has been intimated, conjecturally, by a learned author,\* that missionaries and traders, before the close of the seventeenth century, passed "down south from the St. Joseph, left the Kankakee to the west, and visited the Tippecanoe, the Eel River and the upper parts of the Wabash."

After Lamotte Cadillac founded a permanent settlement at Detroit, and before the close of the year 1712, the Sieur Juchereau, a Canadian officer, assisted by the missionary Mermet, made an attempt to establish a post on the Ohio, near the mouth of that river; or, according to some authorities, on the river Wabash, at the site which is now occupied by the town of Vincennes. A number of the Mascoutins, or prairie Indians, were gathered around the post, and the zealous Mermet soon opened a public discussion with one of their chief medicine men who worshipped the Buffalo. "The way I took," says Mermet, "was to confound, in the presence of the whole tribe, one of these charlatans, whose Manitou, or Great Spirit, which he worshipped, was the Buffalo. After leading him on insensibly to the avowal *that it was not the Buffalo that he worshipped, but the Manitou, or Spirit, of the Buffalo*, which was under the earth, and which animated all Buffaloes, which heals the sick, and has all power, I asked him if other beasts, the Bear, for instance, and which some of his nation worshipped, was not equally inhabited by a Manitou, which was under the earth?" "Without doubt," said the Grand Medicine. "If this is so," said the missionary, "men ought to have a Manitou who inhabits them." "Nothing more certain," said the medi-

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\*Bishop Bruté.

cine man. "Ought not that to convince you," said Mermet, "that you are not very reasonable? For, if man, upon the earth, is the master of all animals—if he kills them—if he eats them—does it not follow that the Manitou which inhabits him, must necessarily have a mastery over all other Manitous? Why then do you not invoke him, instead of the Manitou of the Bear and the Buffalo, when you are sick? This reasoning disconcerted the charlatan; but this was all the effect it produced."\*

A pestilential malady soon broke out among the Indians who were settled around this new post, and destroyed many of them. "Mermet redoubled the efforts of his charity and zeal—exposing his life among the sick, who died in great numbers—thus trying to give them the best evidence of his conviction. Still the jugglers kept up their delusions. They ordered a great sacrifice of some of their dearest possessions—their dogs. Forty of these poor animals, innocent as they were of the cause of the epidemic, to satisfy their suspicious Manitous, were immolated and carried on poles, in a solemn procession, round the fort. While the procession was moving, the jugglers were uttering exclamations, which, as recorded by Father Mermet, were as follows: 'Manitou of the French! do not kill us all! Softly! softly there! Do not strike too hard! Spare us; else we all die.' Then, turning to the Father, they would say, 'Oh Manitou, truly thou hast Life and Death in thy sack. Keep in Death, and give out Life.'"<sup>†</sup> The Indians soon moved away from the place of mortality; Mermet retired to the village of Kaskaskia; and the *Sieur Juchereau* abandoned his post.

About the year 1712, *Gabriel Marest*, a missionary, had his station at the village of Kaskaskia. On one occasion he travelled from his station among the Illinois, to Michilimackinac; and he thus described the country over which he passed:—

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\**Let. Ed. vi. 333.*—*Charlevoix, iii, 393.*—*Judge Law's Address before the His. and Antiq. Society of Vincennes, p. 16.*—*N. A. Rev. vol. xlviii, 99.*—*Bancroft, iii, 196.*

<sup>†</sup>*Bishop Bruté.*

"We have marched twelve days without meeting a single human creature. Sometimes we found ourselves in vast prairies, of which we could not see the boundaries, through which there flowed many brooks and rivers, but without any path to conduct us. Sometimes we were obliged to open a passage across thick forests, through bushes, and underwood filled with briars and thorns. Sometimes we had to pass through deep marshes, in which we sunk up to the middle. After being fatigued through the day we had the earth for our bed, or a few leaves, exposed to the wind, the rain, and all the injuries of the air."\*

In the summer of 1712, the post of Detroit was besieged by a strong party of the Fox tribe of Indians. The Ottawas, Potawatamies, and Hurons, however, marched to the assistance of the French. Of the besiegers, a considerable number were killed, some were carried off as captives, and the remainder were forced to retreat to their country, which lay on the borders of the Fox river of Wisconsin.

The settlement which was made at Biloxi, in 1699, under the direction of D'Ibberville and Bienville, was the first attempt that was made, after the death of La Salle, to plant a French colony near the Gulf of Mexico. A war broke out between England and France in 1702; the French settlement at Biloxi was neglected; and it continued to languish until 1712; when, on the 14th of September, in that year, the commerce of the province of Louisiana was granted by Louis XIV. to Anthony Crozat, who was an officer of the king's household, and a man of great wealth. Louis XIV. in his letters patent to Crozat, said, "The care we have always had to procure the welfare and advantage of our subjects, having induced us, notwithstanding the almost continual wars which we have been obliged to support from the beginning of our reign, to seek for all possible opportunity of enlarging and extending the trade of our American colonies, we did, in the year sixteen hundred and eighty-three, give our orders to undertake a discovery of the countries and lands which are situated in the northern part

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\*Lettres Edifiantes, ii, 360.—Rob. Am. 477.

of America, between New France\* and New Mexico; and the Sieur de La Salle, to whom we committed that enterprise, having had success enough to confirm a belief that communication might be settled from New France to the Gulf of Mexico, by means of large rivers, this obliged us, immediately after the peace of Ryswick, to give orders for the establishing a colony there, and maintaining a garrison, which has kept and preserved the possession we had taken, in the very year of 1683, of the lands, coasts, and islands, which are situated in the Gulf of Mexico, between Carolina on the east, and Old and New Mexico, on the west. But a new war having broken out in Europe, shortly after, there was no possibility till now of reaping from that new colony the advantages that might have been expected from thence; because the private men who were concerned in the sea trade, were all under engagements with other colonies, which they have been obliged to follow: And, whereas, upon the information we have received concerning the disposition and situation of the said countries, known at present by the name of the Province of Louisiana, we are of opinion that there may be established therein a considerable commerce, so much the more advantageous to our kingdom, in that there has hitherto been a necessity of fetching from foreigners the greatest part of the commodities which may be brought from thence; and, because, in exchange thereof, we need carry thither nothing but commodities of the growth and manufacture of our own kingdom. We have resolved to grant the commerce of the country of Louisiana to the Sieur Anthony Crozat, our counsellor, secretary of the household, crown, and revenue, to whom we entrust the execution of this project. We are the more readily inclined hereto, because his zeal, and the singular knowledge he has acquired in maritime commerce, encourage us to hope for as good success as he has hitherto had, in the divers and sundry enterprizes he has gone upon, and which have procured to our kingdom great quantities of gold and silver, in such conjunctures as have rendered them very welcome to us.

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\*Canada.

“For these reasons, being desirous to show our favor to him, and to regulate the conditions upon which we mean to grant him the said commerce, after having deliberated this affair in our own council, of our certain knowledge, full power, and royal authority, we, by these presents, signed by our hand, have appointed, and do appoint, the said *Sieur Crozat*, solely to carry on a trade in all the lands possessed by us, and bounded by New Mexico and by the lands of the English of Carolina, all the establishments, ports, havens, rivers, and principally the port and haven of the *Isle Dauphine*, heretofore called *Massacre*, the river of *St. Louis*; heretofore called *Mississippi*, from the edge of the sea *as far as the Illinois*; together with the river *St. Philip*, heretofore called the *Missouris*, and of *St. Jerome* heretofore called *Ouabache*, [*Wabash*] with all the countries, territories, lakes within land, and the rivers which fall directly or indirectly into that part of the river of *St. Louis*.\*

“Our pleasure is, that all the aforesaid lands, countries, streams, rivers, and islands, be and remain comprised under the name of the Government of Louisiana, which shall be dependent upon the general Government of New France, to which it is subordinate: And further, that all the lands which we possess from the *Illinois*, be united, so far as occasion requires, to the General Government of New France, and become part thereof; reserving, however, to ourselves, the liberty of enlarging, as we shall think fit, the extent of the government of the said country of Louisiana.

“We permit him [*the Sieur Crozat*] to search for, open, and dig, all sorts of mines, veins, and minerals throughout the

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\*The North American Review, No. CII. gives the names of the Lakes and Rivers of the northwest, as they appear in the writings of the early French travellers. Lake Ontario was called Lake Frontenac. Lake Erie was called Erike, Erige, or Erie, from a nation of Eries destroyed by the Iroquois; it was also called Lake of Conti. Lake Huron was Karegnondi, and Lake of Orleans. Lake Michigan was called Lake of Puans, Lake of the Illinois, Lake of the Illinese, Lake of the Illinouacks, Lake Mischigonong, and Lake of the Dauphin. Lake Superior was called Lake Superieur, and Lake of Conde. Green Bay was Baie des Puans. Illinois river was sometimes called River Seignelay. The river Ohio was called Ouabouskigou, Ouabachi, Ouabache, Oyo, Ouye, and Belle Riviere. The Mississippi river was called River Colbert, River St. Louis, Meschasipi, Meschasabe, &c. Missouri river was called Pekitanoni, Riviere des Osages, Massourites, &c.

whole extent of the said country of Louisiana, and to transport the profits thereof into any port of France, during fifteen years; and we grant, in perpetuity, to him, his heirs, and others, claiming under him or them, the profits of, in, and to, the mines, veins, and minerals, which he shall bring to bear; paying us, in lieu of all claim, *the fifth part of the gold and silver* which the said Sieur Crozat shall cause to be transported to France, at his own charges, into what port he pleases, (of which fifth we will run the risk of the sea and of war,) and the tenth part of what effects he shall draw from the other mines, veins, and minerals, which tenth he shall transfer and convey to our magazines in the said country of Louisiana.

“We likewise permit him to search for precious stones and pearls, paying us the fifth part, in the same manner as is mentioned for the gold and silver. We will that the Sieur Crozat, his heirs, or those claiming under him or them, the perpetual right, shall forfeit the propriety of the said mines, veins, and minerals, if they discontinue the work during three years; and that, in such case, the said mines, veins, and minerals shall be fully re-united to our domain, by virtue of this present article, without the formality of any process of law, but only an ordinance of re-union, from the sub-Delegate of the Intendant of New France, who shall be in the said country; nor do we mean that the said penalty of forfeiture, in default of working for three years, be reputed a comminatory penalty. Our edicts, ordinances, and customs, and the usages of the mayoralty and shrievalty of Paris shall be observed for laws and customs in the said country of Louisiana.”\*

Crozat was required to send at least two vessels a year, from France, to sustain the colonies and maintain the trade of Louisiana. In 1713, the whole civilized population of the province consisted of about four hundred French colonists. Some of these colonists carried on a profitable traffic among the Indians; others explored the country in various directions, making fruitless attempts to discover mines of the precious metals; and a very small number were engaged in agricultural pursuits.

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\*Laws, &c. of the U. S. relating to the Public Lands, p. 944.

In 1717, after the death of Louis XIV. Crozat, having accomplished little, either for himself or for the advancement of the colony, surrendered his grant to the crown of France; and, in August, 1717, the province of Louisiana was ceded, by letters patent to the Western Company,\* at the head of which was the famous banker, John Law. The fifth article of the letters patent was in the following words:—"In order to provide the said Western Company with the means of making a permanent establishment, and to execute all the plans they may form, we have given, granted, and conceded, and by these presents, do give, grant, and concede to them, for ever, all the lands, coasts, ports, havens, and islands, which form our province of Louisiana, as well, and with the same extent, as we had granted it to Mr. Crozat, by our letters patent dated the 14th of September, 1712, to enjoy the same in full property, lordship, and justice; reserving to ourselves but only fealty and homage, which the said Company shall render to us, and the kings our successors, with a crown of gold of the weight of twenty marcs."

Immediately after the cession of Louisiana to the Western Company, that corporation began to make extraordinary efforts to increase the strength of the French colonies, in their province. A new government was formed, consisting of a Governor, Intendant, and Royal Council. An edict was issued to collect and transport settlers to the valley of the Mississippi; and reports were artfully circulated in France, concerning the discovery of rich mines of gold and silver in Louisiana. In 1717, M. Bienville selected the site of New Orleans for a central town for an agricultural and commercial colony, and left a company of men at that place to clear the land and build houses. In the course of the years 1717 and 1718, the population of the province of Louisiana was increased by the addition of about eight hundred French emigrants; and, in the latter part of the former year, the directors of the Western Company sent M. de Boisbriant, with a small military force, to establish a post at or near the village of Kaskaskia, in the

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\*Sometimes called the "Mississippi Company."

Illinois country. In 1718, this officer began to build a small fort on the left bank of the Mississippi, at a point about eighteen miles distant from Kaskaskia. The fortification was called Fort Chartres. During the years 1718 and 1719, the French population of the district around Kaskaskia and Fort Chartres, was augmented considerably, by the influx of adventurers from Canada, and from the settlements about New Orleans. Early in the year 1719, the Western Company obtained, from the crown of France, the exclusive right of trading to the East Indies, China, and the South Seas; and, in consequence of receiving this enlarged privilege, it assumed the name of "*la Compagnie des Indes*." While these events were transpiring different agents of the company were actively engaged in exploring the province of Louisiana, in search of gold and silver mines, and "precious stones and pearls."

In 1719, the *Sieur de Lochon* "being sent by the company, in quality of a founder, and having dug in a place\* which had been marked out to him, drew up a pretty large quantity of ore, a pound whereof, which took four days in smelting, produced, as they say, two drachms of silver; but some have suspected him of putting in this quantity himself. A few months afterwards he returned thither, and without thinking any thing more of the silver, he extracted from two or three thousand weight of ore, fourteen pounds of very bad lead, which stood him in fourteen hundred francs. Disgusted with a labor which was so unprofitable, he returned to France. The company persuaded of the truth of the indications which had been given them, and that the incapacity of the founder had been the sole cause of their bad success, sent, in his room, a Spaniard, called Antonio, who had been taken at the siege of Pensacola, had afterwards been a galley slave, and boasted much of his having wrought in a mine at Mexico. They gave him very considerable appointments; but he succeeded no better than had done the *Sieur de Lochon*. He was not discouraged himself, and others inclined to believe that he had failed from his not being

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\*On the borders of the *Marameg* river, which enters the Mississippi about sixteen miles below the city of St. Louis.

versed in the construction of furnaces. He gave over the search after lead, and undertook to make silver. He dug down to the rock, which was found to be eight or ten feet in thickness; several pieces of it were blown up, and put into a crucible, from whence, it was given out, that he extracted three or four drachms of silver; but many are still doubtful of the truth of this fact. About this time arrived a company of the king's miners, under the direction of one La Renaudiere, who, resolving to begin with the lead mines was able to do nothing; because neither he himself, nor any of his company, were in the least acquainted with the construction of furnaces. Nothing can be more surprising than the facility with which the company, at that time, exposed themselves to great expenses, and the little precaution which they took to be satisfied of the capacity of those that they employed. La Renaudiere and his miners, not being able to procure any lead, a private company undertook the mines of the Maramég, and Sieur Renault, one of the directors, superintended them with care. In the month of June last [1721] he found a bed of lead ore, two feet in thickness, running to a great length over a chain of mountains, where he has now set his people to work. He flatters himself that there is silver below the lead. Every body is not of his opinion; but time will discover the truth."\*

The directors of the Indies Company soon endeavored to turn the attention of the people of Louisiana from the visionary search after gold and silver mines to the cultivation of the soil. The growing of rice, tobacco, indigo, &c. was proposed. Factories or storehouses were established by the company, at various places, to facilitate trade; and negroes† were imported

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\*Charlevoix.—Vide Schoolcraft's *Travels in the central portions of the Mississippi valley*, p. 236.

†Robertson, in his *Disquisition on ancient India*, (p. 69.) says; "In every part of America of which the Spaniards took possession, they found that the natives, from their indolence or from the injudicious manner of treating them, were incapable of the exertions requisite either for working mines, or for cultivating the earth. Eager to find hands more industrious and efficient, the Spaniards had recourse to their neighbors the Portuguese, and purchased from them negro slaves. Experience soon discovered that they were men of a more hardy race, and so much better fitted for enduring fatigue, that the labor of one negro was computed to be equal to that of four Americans." In the practice of purchasing negro

and sold, on a credit of three years, to colonists who were engaged in agricultural pursuits. But, at this time, the French inhabitants of the valley of the Mississippi were, with a few exceptions, a roving and trafficking race, among whom the important interests of agriculture and manufactures were neglected. A considerable part of their clothing, their arms and ammunition, their implements of labor, and even a portion of the provisions which they consumed, were imported from France and received by them in exchange for furs and peltries. The English colonists who were settled on the eastern side of the Allegheny mountains, pursued a different system of political economy; and, by fostering the great interest of agriculture they laid the foundation of that power which ultimately drove France from the vast regions which she claimed in North America.

On the 2d of September, 1721, the Council deputed by the king of France for the government of the Indies Company, enacted the following ordinance in favor of the French inhabitants of Louisiana:

*“Ordinance of the Commissioners of the Council deputed by the King for the government of the Indies Company:—Enacted for the benefit of the inhabitants of Louisiana, on the 2d of September, 1721.*

The Indies Company having determined, in conformity to the intentions of his Majesty, to sustain the Colony of Louisiana, and to procure for those subjects of his Majesty, and others emigrating there, the means of establishing themselves therein, and realizing the reasonable fruits of their labor; it shall be our first care to place this new colony under better regulations than it has been heretofore, by the enactment of ordinances that will be transmitted to the inhabitants thereof; and at present we have deemed it proper to promulgate to the colonists the articles herein following:—

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slaves, the Spaniards were soon imitated by the English and French colonists who settled in the warmer climates of North America. It is said, however, that Louis XIII. was extremely uneasy about a law for the introduction of negro slaves into his colonies: but when it was urged to him as the readiest means of their conversion, he acquiesced without further scruples.—[Montesq.

ARTICLE I.—Negroes shall be sold to the colonists at the rate of 660 livres, India currency, conformably to a preceding regulation of the company, in payment of which the colonists may execute notes payable in three years, in equal instalments from the day of delivery, in tobacco or rice, according to the decision of the Directors, upon information received of the quality of their respective lands. If, upon the expiration of the second year, the purchaser still owes the whole amount of his notes, without having made the first annual payment, the negroes shall be sold for the benefit of the company, after a single demand of payment: and the sale of said negroes shall be posted, made known, and published, at all the plantations in that District, for the space of one month previous to the day of sale. If the proceeds of said sale do not satisfy the debt to the company, the debtor shall be held personally liable for the payment of the deficit, and shall be conducted to the prison at the head-quarters, or the residence of the commandant of the District, there to remain until full and complete payment is made.

ARTICLE II.—Good and merchantable tobacco, in leaves or rolls, will be purchased from the inhabitants at the rate of twenty-five livres per one hundred pounds, avoirdupois weight. They may deliver it in casks or boxes, at their convenience. Those who prefer furnishing it in boxes must make them of sufficient size to contain two hundred pounds of well pressed tobacco; and to avoid difficulty as to the tare of the boxes, they may make an average from the weight of four empty ones in every hundred; the weight of which will serve as a standard for the tare of the others.

ARTICLE III.—The tobacco and rice are to be delivered by the colonists, at the store-houses at New Biloxi, New Orleans, and Mobile, and not elsewhere. Tobacco shall be received at the store-houses of either of these places, at the rate of twenty-five livres per quintal.

ARTICLE IV.—Rice will be purchased at the rate of twelve livres per one hundred pounds, avoirdupois weight; and the standard for testing the tare of tobacco boxes shall be observed

on rice barrels. If the colonists find it expedient to deliver the rice in bales or coverings of rushes, the tare will be ascertained by the average weight of four bales in every hundred.

ARTICLE V.—We advise and urge the colonists not to neglect the manufacture of Silk, and to set out mulberry trees\* upon their plantations, that they may increase until there are people enough in the colony to engage in the manufacture of silk, which they ought to regard as an article of considerable commercial importance.

ARTICLE VI.—The surplus of other commodities the growth of the colony, as well as the products of trade, such as deer skins, beaver skins, &c. will be received at New Biloxi, New Orleans, and Mobile, at the ordinary established prices of the Indies Company.

ARTICLE VII.—Merchandise imported from France shall be sold to the inhabitants of the colony, at the following rates, to wit:—At Biloxi, at Mobile, and at New Orleans, at fifty per cent. advance on the French invoice prices:—At Natchez and at Yazoo, at seventy per cent. advance:—At Natchitoches and at Arkansas, at eighty per cent. advance:—At Illinois at one hundred per cent. advance: and at Alabama at fifty per cent. advance. Wine shall be sold at one hundred and twenty livres per hogshead: brandy at one hundred and twenty livres per barrel; and the half casks and quarter casks in proportion.

ARTICLE VIII.—Having been informed that the clerks of the company have heretofore appropriated to their own use those goods most in demand, to sell to the colonists, for their own emolument, at higher prices than those established by the company, we have prohibited their carrying on any such traffic, directly or indirectly, during the period of their employment in the service of the company: and in case any of them infringe upon our prohibitions, we command the colonists to complain of them to the Directors, who shall decree a confiscation of their goods, and advise us of the same.

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\*In 1622, James I. of England, earnestly exhorted the colonists of Virginia to set about the cultivation of Mulberry Trees, and the planting of Vineyards.—[Vide Macpherson's *Annals of Commerce*, ii, 317.]

ARTICLE IX.—In order that the colonists may be informed as to the goods in the store-houses of the company, we have directed that, on the first days of each month respectively, a list shall be posted up at the door of the company store-houses at New Biloxi, New Orleans, and Mobile: and as there may happen to be merchandise at New Biloxi, not to be found at New Orleans and Mobile, a list of that in the store-house at New Biloxi shall be posted up at New Orleans and Mobile; whither it shall be forwarded by the first opportunity offering itself in the early part of each month.

ARTICLE X.—There will be sent out to pay the wages of the troops and the daily expenses of the company, pieces of copper money that shall have an uniform value, to wit:—Those requiring twenty to the marc\* in weight, rating at eighteen pence; those requiring forty to the marc, at nine pence; and those requiring eighty to the marc, at four pence and a half. The colonists are to receive without objection this coin from the soldiers and others, in payment of the articles they may sell; inasmuch as the same coin shall be receivable at the store-houses of the company in payment of every description of goods, at the same rate, without making any difference between it and gold or silver.

ARTICLE XI.—We hereby transmit orders for the division of the colony of Louisiana into nine districts, which shall be known by the following names, to wit: New Orleans, Biloxi, Mobile, Alabama, Natchez, Yazoo, Natchitoches, Arkansas, and Illinois. The colonists shall be informed, by the Council of Louisiana, of the district to which they shall respectively belong. There shall be at the head-quarters in each district, a commandant and a judge, from whose decisions appeals may be had to the Superior Council, established at New Biloxi. This regulation is made to enable the colonists to demand from the commanding officer of their own district any protection of which they may stand in need, and to obviate the necessity of their travelling to a distance from their dwellings to obtain judicial action upon matters arising among themselves. And

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\*Eight ounces.

we admonish them to avoid litigation as far as possible, to live together in peace and harmony, and render each other mutual aid and assistance.

ARTICLE XII.—We exhort them likewise to be more exact than they have heretofore been in fulfilling the duties incumbent upon christians, and prescribed by their form of worship: And, in order to place them in a condition to discharge these duties more satisfactorily, we hereby give directions for the establishment of churches and chapels in sufficient numbers to enable the colonists to attend divine service, and receive the sacraments.

Done at Paris, the 2d day of September, one thousand seven hundred and twenty-one.”\*

From 1720 to 1731, the trade and the commerce of Louisiana were monopolized by the Indies Company. The laws by which the colonists were governed during this period, were arbitrary and fatally adverse to the growth and prosperity of the colony. The cultivators of the soil, the workers of mines, and the fur traders, were held in a species of vassalage, by the force of various ordinances, decrees, and regulations. The company could, at pleasure, prescribe the prices at which the colonists should buy imported goods and wares. It could establish, too, the prices of the products raised or manufactured by the inhabitants. The latter were compelled to buy, at a high price, the merchandise of the company, and to sell, at a low price, the productions of their own industry. It would be difficult to devise a system more effectual than this, for checking the progress of industry and population in a new colony. The interests of the colony and those of the exclusive company were in every point diametrically opposite; and as the latter possessed such advantages in the unequal contest that it could prescribe the terms of intercourse, the former was compelled not only to buy dear and sell cheap, but to suffer the mortification of having the increase of its surplus stock discouraged by those very persons to whom alone it could dispose of its productions.†

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\*Le Code Noir ou Recueil de Reglemens, p. 242.

†Robertson's Am. 371—Smith's Inquiry, ii, 171.

In the District of Illinois the factory or store-house of the Indies Company was established at Fort Chartres. The commandant of that post, and the commissary of the company, were, conjointly, invested with power to grant small tracts of land to the French inhabitants of their district. The following is a translation of a grant which was made by these officers in 1722:

*“Pierre Duque Boisbriant, Knight of the Military Order of St. Louis, and First King’s Lieutenant of the Province of Louisiana, commanding at the Illinois, and Marc Antoine de la Loire Des Ursins, Principal Secretary for the Royal Indies Company:—*

On the demand of Charles Danie, to grant him a piece of land of five arpents in front, on the side of the Mitchiagamia river, running north and south, joining to Michel Philip on one side, and on the other to Meleque, and in depth east and west to the Mississippi.—In consequence, they do grant to the said Charles Danie (in soccage) the said land; whereon he may from this date, commence working, clearing, and sowing, in expectation of a formal concession, which shall be sent from France by Messieurs the Directors of the Royal Indies Company. And the said land shall revert to the domain of the said company, if the said Charles Danie do not work thereon within a year and a day.

BOISBRIANT,  
DES URSINS.

May 10, 1722.”\*

On the 22d of June, 1722, Boisbriant and Des Ursins granted to the missionaries of Cahokia and Tamarois, “a tract of four leagues of land square; bounded on the west by the Mississippi, including the adjacent islands, beginning a quarter of a league above the little river of Cahokia, and extending south and east for quantity.”†

In the month of March, 1724, Louis XV. published the following ordinance, to serve “as a regulation for the government

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\*American State Papers—Public Lands—ii, 164.

†American State Papers—Public Lands—ii, 167.

and administration of justice, police, discipline, and traffic in negro slaves, in the Province of Louisiana.”

“LOUIS, by the Grace of God, king of France and Navarre, to all present, and to come, Greeting:—The Directors of the Indies Company having represented that the province and colony of Louisiana is extensively settled by a great number of our subjects who employ negro slaves in the cultivation of the soil, we have deemed it consistent with our authority and justice, for the preservation of that colony, to establish there a system of laws, in order to maintain the discipline of the Apostolic Roman Catholic Church, and to regulate the estate and condition of slaves in the said country. And, desiring to provide therefor, and show our subjects residing there, and those who may settle there in future, that, although they dwell in regions infinitely remote, we are always present to them by the extent of our sovereignty and by our earnest study to yield them aid: For these reasons, and others moving us thereto, by the advice of our Council, and from our certain knowledge, plenary power, and royal authority, we have enacted, ordained and decreed, and do enact, ordain, and decree, in our will and pleasure, as follows:

ARTICLE I.—The edict of the late king Louis XIII., of glorious memory, dated the 23d of April, 1615, shall be in force in our Province and Colony of Louisiana; in the execution of which, we enjoin the directors general of said company, and all our officers, to remove from said country all the Jews who may have taken up their abode there—the departure of whom, as declared enemies of the christian name, we command within three months, including the day when these presents are published, under pain of forfeiture of their bodies and estates.\*

ARTICLE II.—All slaves who may be in our said province, shall be educated in the Apostolic Roman Catholic religion,

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\*In the charter which was granted by James I. to the colonists of Virginia, on the 23d of May, 1609, the English monarch said, “We do hereby declare that it is our will and pleasure that none be permitted to pass in any voyage from time to time to be made into the said country, but such as first shall have taken the oath of supremacy.” This order was made to prevent the settling of Catholics in the colony of Virginia; from which colony, in 1642, all Catholic priests were ordered to depart in five days.—[Vide Henning’s Statutes, i, 269.]

and be baptised. We command those colonists who purchase slaves recently imported, thus to have them instructed and baptised, within a reasonable time, under pain of an arbitrary fine. We charge the directors general of said company and all our officers to enforce this strictly.

ARTICLE III.—We prohibit any other religious rites than those of the Apostolic Roman Catholic Church; requiring that those who violate this, shall be punished as rebels, disobedient to our commands. We prohibit all meetings for this purpose: Such we declare to be unlawful and seditious assemblages, subject to the same penalties inflicted upon masters who shall permit or suffer it with respect to their slaves.

ARTICLE IV.—No overseers shall be set over the negroes to prevent their professing the Apostolic Roman Catholic religion, under pain of forfeiture of such slaves by the masters appointing such overseers, and of arbitrarily punishing the overseers who shall have accepted said superintendence.

ARTICLE V.—We admonish all our subjects, of every rank and condition to observe, scrupulously, Sundays and holy-days. We prohibit their laboring or causing their slaves to labor, on those days (from the hour of midnight to the following midnight) in the culture of the soil, or any other service, under penalty of a fine and arbitrary punishment to be inflicted upon the masters, together with forfeiture of those slaves who shall be detected by our officers at work. Reserving to them, nevertheless, the privilege of sending their slaves to market.

ARTICLE VI.—We prohibit white subjects of both sexes, from contracting marriages with the blacks, under pain of punishment and an arbitrary fine; and we prohibit all chaplains of vessels, priests, and missionaries, whether secular or regular, from solemnizing marriages between them. We also prohibit our white subjects, as well as blacks enfranchised, or born free, from living in a state of concubinage with the slaves; enacting that those who shall have had one or more children by such cohabitation, shall be severally condemned, as well as the master permitting it, to pay a fine of three hundred livres. And, if they are masters of the slaves by whom they shall have such

children, we decree that, beside the fine, they be deprived both of the slave and children, who shall be adjudged the property of the hospital of the district, without the capacity of subsequent enfranchisement. Provided, that this Article is of none effect, when the black man, either free-born or manumitted, who was not married during such cohabitation with his slave, shall espouse her according to the forms prescribed by the church; which act shall enfranchise her, and make her children free and legitimate.

ARTICLE VII.—The solemnities prescribed by the ordinance of Blois, and the edict of 1639, in case of marriages, shall be observed in respect as well to free persons as to slaves, without any necessity for the consent of the father or mother of the slave: that of the master being only essential.

ARTICLE VIII.—We expressly prohibit parish priests from proceeding to solemnize marriages between slaves, if they do not make apparent the consent of their masters. We forbid, also, the employment, by masters, of any compulsion with their slaves, to marry them against their inclination.

ARTICLE IX.—Children springing from marriages between slaves shall be slaves, and shall belong to the masters of the wives, and not to those of the husbands, if the husbands and wives are owned by different persons.

ARTICLE X.—We decree, that if the husband be a slave and the wife a free woman, their children, both male and female, shall follow the condition of the mother and be free like herself, notwithstanding the slavery of the father: and, if the father be free and the mother a slave, the offspring shall be slaves likewise.

ARTICLE XI.—Masters shall be obliged to inter in holy ground, within the cemeteries set apart for that purpose, their slaves who have been baptised; and with regard to those slaves who die without baptism, they shall be buried at night, in some field adjacent to the place of their decease.

ARTICLE XII.—We prohibit the wearing of any offensive arms, or heavy clubs, by the slaves, under pain of the lash, and the forfeiture of such arms for the benefit of him who may

find the slaves in possession thereof: excepting therefrom those who may be sent to the chase by their masters, and such as may be bearers of the letters or well known marks of their masters.

ARTICLE XIII.—We prohibit, in like manner, the gathering together of slaves belonging to different masters, in the day or night time, under the pretence of attending weddings, or otherwise, at the abode of their masters, or elsewhere, either in the highways or in by-places, under pain of corporal punishment by whipping and branding: And, in case of repeated offences, and other circumstances of aggravation, they may be punished with death, at the discretion of the judges. We enjoin all our subjects to pursue such offenders, arrest, and conduct them to prison, although they be not regular officers, nor have any warrant for such offenders.

ARTICLE XIV.—Masters who shall be convicted of having permitted or suffered such assemblies, composed of other than their own slaves, shall be sentenced in their own proper names to repair every damage suffered by their neighbors on account of said gatherings, and a fine of thirty livres for the first offence and double that amount for a repetition thereof.

ARTICLE XV.—We prohibit slaves from exposing to sale in market, or carrying to particular houses for the purpose of sale any sort of commodity, either of fruits, greens, firewood, herbs, or cattle-feed, or any species of grains, or other merchandise, cloths or goods, without express permission from their masters, evidenced by a pass, or well known marks, under pain of having the articles sold, reclaimed by their masters without restoration of the price, and a fine of six livres for their benefit, as against the purchasers of the fruits, greens, firewood, herbs, fodder, or grain: Decreeing in relation to merchandise, cloths, or goods, that the delinquent purchasers be sentenced to pay a fine of fifteen hundred livres, towards the expense, damage, and interest, and that they be prosecuted to the last extremity as thievish receivers.

ARTICLE XVI.—We decree, for this purpose, that two persons shall be appointed as supervisors over each market, by the

officers of the Superior Council, or by the inferior justices, to examine the wares and merchandise brought there by slaves, together with the letters and marks of their masters which they may bear.

ARTICLE XVII.—We allow all our subjects inhabiting that country to seize every thing with which they may find said slaves laden, when they are without any passes or known marks of their masters: the articles seized to be delivered forthwith to their masters, if their residence be near the place where the slaves have been detected in fault; otherwise they shall be sent to the nearest store-house of the company, there to remain on deposit until the masters shall be notified thereof.

ARTICLE XVIII.—It is our will that the officers of our Superior Council in Louisiana shall furnish an opinion as to the quantity of food, and the quality of clothing, it is proper for masters to furnish their slaves—(which food must be furnished in each week, and clothing in each year)—in order that we may enact a statute thereupon. In the mean time, we permit said officers to regulate, by express provision, said food and raiment; interdicting the giving of any kind of spirituous liquors by masters to said slaves, in lieu of said victuals and clothing.

ARTICLE XIX.—We forbid, in like manner, their releasing themselves from the charge of feeding and supporting said slaves, by permitting them to labor a certain day in the week on their own account.

ARTICLE XX.—Slaves who are not fed, clad, and maintained by their masters, may give notice thereof to the Procureur General of said Council, or the officers of the inferior courts, and place their complaints in their hands: upon which, and even of their own accord if the notice shall have come to them in some other way, the master shall be prosecuted on the motion of the said Procureur General, without cost; which course we direct to be pursued in case of crimes, and cruel treatment of slaves by their masters.

ARTICLE XXI.—Slaves enfeebled by old age, sickness, or otherwise, whether the debility be incurable or not, shall be

maintained and supported by their masters; and, in case they have abandoned them, said slaves shall be quartered upon the nearest hospital, to which their masters shall be condemned to pay eight sous per day for the maintenance and support of each slave—for the payment of which sum said hospital shall have a lien upon the plantations of said masters, into whose possession soever they may pass.

ARTICLE XXII.—We declare slaves to be incapable of holding any thing which may not belong to their masters, and all things obtained through their own industry or the liberality of other persons, or otherwise, by what title soever, to be acquired as the property of the masters, without enabling the children of said slaves, their parents, relatives, or any others, to assert any right thereto, by succession, by donation when alive, or *causa mortis*: Such transfers we declare null, together with all the promises and obligations made by them, as being contracted by a race incapable of transferring and contracting by their own free will.

ARTICLE XXIII.—It is our will, nevertheless, that the masters should keep whatever the slaves have earned by their direction, together with the materials with which they have carried on employment and traded in their workshops in that particular branch of business to which their masters have appointed them; and in case their masters shall have given them no such direction or appointment they shall be bound only to an equivalent to that which shall have resulted to their advantage; and if nothing has so resulted, the substance belonging to said slaves, which their masters may have suffered them to accumulate, shall be reserved, after the masters have deducted of their own choice, whatever is owing to them. It is otherwise if the property consisted, in whole or in part, of merchandise with which slaves had permission to traffic on shares—upon which their masters can only come in for contribution, at the rate of one sous upon every livre, with the other creditors.

ARTICLE XXIV.—Slaves shall not be eligible for office, nor any commission exercising a public function, nor for appoint-

ment as agents by others, except by their masters, to carry on and manage any business; nor as umpires, or supervisors: neither can they be witnesses in civil or criminal cases, unless they are absolutely necessary, and only through a want of white testimony; but in no case can they serve as witnesses either for or against their masters.

ARTICLE XXV.—Slaves cannot be parties, nor the subjects of judgment, in any civil case, either as plaintiffs or defendants; nor civil parties in a criminal matter:—allowing their masters to sue and defend for them in a civil case; and to prosecute, in a criminal one, the redress of any grievances and injuries which shall have been committed towards their slaves.

ARTICLE XXVI.—Criminal prosecutions may be had against slaves without the necessity of making their masters parties, except in case of accomplices; and the slaves accused shall be judged in the first instance by the ordinary judges, if there are any at that place, and by appeal to the Council upon the same process, and with the same formalities, as in cases of free persons, except as hereinafter mentioned.

ARTICLE XXVII.—The slave who shall have struck its master, mistress, the husband of its mistress, or their children, so as to bruise, draw blood, or upon the face, shall be punished with death.

ARTICLE XXVIII.—And as to the abuse and violence which shall be offered by slaves to free persons, we decree that they be punished severely therefor, even unto death, if there be occasion.

ARTICLE XXIX.—Certain thefts, as those of horses, mares, mules, oxen, or cows, committed by slaves or by free negroes, shall be punished with a rigorous penalty, even that of death, if the occasion require it.

ARTICLE XXX.—The stealing of sheep, goats, swine, poultry, grain, cattle-feed, peas, beans, or other greens and provisions, perpetrated by slaves, shall be punished, according to the degree of the offence, by the judges, who may, if there be occasion, sentence such slaves to be whipped with rods by the executioner of the high court, and branded with a fleur-de-lys.

ARTICLE XXXI.—Masters shall be obliged in case of theft or other injury committed by their slaves, (besides the corporal punishment inflicted upon them) to repair the wrong in their own names, unless they prefer delivering the slave over to the injured party—upon one of which courses they must decide within three days, otherwise they shall lose their option.

ARTICLE XXXII.—The fugitive slave who shall have run away for the space of one month, counting from the day on which his master shall have reported him to the court, shall have his ears cut off, and be branded with a fleur-de-lys upon one shoulder: and if he repeat the offence for the space of another month, including in like manner the day of his being informed against, he shall be hamstrung and branded with a fleur-de-lys upon the other shoulder: and the third offence shall be punished with death.

ARTICLE XXXIII.—We decree that slaves who have endured the punishment of the lash, of branding and of ear-lopping, shall be tried, in cases of the last resort, by the ordinary judges; and executed without it being necessary for such judgments to be confirmed by the Superior Council, notwithstanding the provisions in the twenty-sixth Article of these presents, which have reference only to judgments sentencing to death or to hamstringing.

ARTICLE XXXIV.—Negroes, free-born or manumitted, who shall harbor in their dwellings fugitive slaves, shall be sentenced to bodily service for the master, in a fine of thirty livres for each day of such harboring; and other free persons who shall have afforded such a refuge, in a fine of ten livres for each day of such harboring: and, on the failure of such negroes either manumitted or free born, to pay, on account of inability, they shall be reduced to slavery and sold; and if the proceeds of the sale exceed the fine, the surplus shall be given over to the hospital.

ARTICLE XXXV.—We freely permit our subjects in said country, who shall have runaway slaves in any place whatsoever, to institute a search through such persons or in such

manner as they deem proper, or to make such search themselves, as shall seem best.

ARTICLE XXXVI.—The slave condemned to death upon the accusation of his master who shall not be an accomplice in the crime, shall, before execution, be appraised by two respectable inhabitants, to be nominated for that duty by the judge, and the amount of the appraisement shall be paid; to satisfy which our Superior Council shall tax upon the head of every negro the sum fixed by the appraisement, which shall be proportioned to all the said negroes, and levied by those appointed for that purpose.

ARTICLE XXXVII.—We prohibit all officers of our said council, and other officers of justice settled in said country, from taking any cost fee in criminal proceedings against slaves, under the penalties visited upon extortion.

ARTICLE XXXVIII.—We prohibit all our subjects in said country, of every rank and condition, from putting their slaves, or causing them to be put by their authority, to the torture or rack, under any pretence whatsoever—or from inflicting or causing to be inflicted any mutilation of the limbs, under penalty of forfeiting the slaves and being prosecuted to the last extremity:—Permitting them only, when they believe their slaves deserve it, to have them tied up and whipped with rods or cords.

ARTICLE XXXIX.—We direct our officers of justice, residing in said country, to prosecute by criminal process, masters or overseers who shall have killed their slaves, or mutilated their limbs while in their power or under their direction, and to punish the murder according to the heinousness of the offence: and in case there may be cause for pardon, we permit the acquittal of both master and overseer: without this, they must obtain from us letters of free pardon.

ARTICLE XL.—We decree that slaves be accounted movables, and as such be embraced in the community—that there can be no claim by mortgage upon them—that they be divided equally among the heirs without respect to jointure or right of seniority—and that they be not subject to common

jointure, to hereditary or feudal redemption, to feudal or seignorial rights, to the formality of decrees, nor to the partition of the *four-fifths* in case of transfers *causa mortis*, or testamentary.

ARTICLE XLI.—We do not mean, nevertheless, to deprive our subjects of the power of treating them as property belonging to their persons, and to those of their family and race, so that they may be used instead of sums of money, or other movable things.

ARTICLE XLII.—The forms prescribed by our ordinances and by the custom of Paris, for the seizure of movable property, shall be observed in the seizure of slaves: Decreeing that the proceeds accruing therefrom be distributed in the order of the seizures; and in case of insufficiency, at the rate of one sous upon the livre, after privileged debts shall have been paid—and, generally, that the condition of the slave may be regulated as other movable property.

ARTICLE XLIII.—We decree, nevertheless, that the husband, his wife, and their children under age, cannot be seized and sold separately, if they are all within the power of one and the same master—declaring void seizures and separate sales which may be made of them. This rule, it is also our will, should govern in voluntary sales, under a penalty to be inflicted on those effecting such sales, of surrendering that one or those over whom they had control, who are adjudged to the purchasers without their being compelled to pay any remainder due upon the price of sale.

ARTICLE XLIV.—It is also our will that slaves of the age of forty years and upwards to that of sixty, attached to the lands and tenements and engaged in actual labor there, shall not be seized for any other debts than what may be due upon the price of their original purchase, unless the lands and tenements were actually seized; in which case we direct that they be included in the actual seizure, and prohibit, as nullities, all proceedings by actual distress and adjudication by decree upon the lands and tenements without embracing slaves of the aforesaid age engaged there in actual service.

ARTICLE XLV.—The farmer or lessee of lands or tenements actually distrained, slaves included, shall be liable to pay over the consideration money of his lease, without reckoning among the profits collected, those children who may be born of slaves during the term of his said lease.

ARTICLE XLVI.—We decree, notwithstanding all articles to the contrary, which we hereby repeal, that the aforementioned children may be retained by the party suffering the distress, if the creditors are satisfied in some other way, or to the highest bidder if he interpose a decree; and, for this purpose, mention shall be made in the last advertisement of the intervention of said decree, of the children born of slaves since the actual distress, as well as of slaves deceased since that distress in which they were included.

ARTICLE XLVII.—To avoid the expenses and delays of process, we decree that the distribution of the whole cost of the adjudication, relating equally to the real estate and the slaves, and what may accrue upon the expenses of an equitable decision, shall be made among the creditors according to the precedence of their liens and mortgages, without making any distinction of that which is for the price of the slaves; and not even the feudal and manorial claims are to be discharged except in proportion to the real estate.

ARTICLE XLVIII.—The kindred and feudal seignors shall not be permitted to redeem the lands decreed, sold at auction, or voluntarily, unless they also redeem the slaves sold jointly with those lands upon which they have been engaged in actual labor—nor are the highest bidders or purchasers to retain the slaves without the lands.

ARTICLE XLIX.—We direct all guardians, both noblemen and commoners, tenants, lessees, and others enjoying the profits of lands to which are attached slaves who labor thereupon, to govern them in a parental manner: In consideration of which they shall not be compelled, after their term of management has expired, to account for those who have died, or been enfeebled by sickness, old age, or otherwise without fault of theirs: but they may not retain as profits for their advan-

tage the children born of said slaves, during their term of administration, whom we direct to be maintained and given up to those who are their owners and proprietors.

ARTICLE L.—Masters of the age of twenty-five years may manumit their slaves by any act between the living, or *causa mortis*: and meantime as masters are often found sufficiently mercenary to fix the liberty of their slaves at a certain price, frequently leading them thereby to commit theft and robbery, we prohibit all persons, of what rank or condition soever, from affranchising their slaves without having obtained permission therefor by decree from our said Superior Council, which permission shall be granted without cost, when the reasons assigned by the master appear legitimate. We pronounce manumissions made in future without these permissions void, and the persons manumitted incapable of profiting by them, or being recognised as free: We ordain, on the contrary, that they may be held, accounted, and reputed, slaves—that their masters may be deprived of them, and they be confiscated to the benefit of the Indies Company.

ARTICLE LI.—We decree, nevertheless, that slaves who shall have been appointed by their masters guardians of their children, may be considered and accounted as we consider and account those for persons affranchised.

ARTICLE LII.—We declare affranchisements made according to the forms heretofore prescribed, to be equivalent to nativity in our said Province of Louisiana; and that the persons so affranchised do not require our letters of naturalization in order to enjoy the privileges of the native born subjects of our kingdom, lands, and countries within our sovereignty, although they be born in foreign lands. We nevertheless declare the aforesaid affranchised persons, together with the free negroes, incapable of receiving from the whites any gift, as between the living, *causa mortis*, or otherwise: Decreeing that if any should be made, they are void, and they may be appropriated to the nearest hospital.

ARTICLE LIII.—We command affranchised persons to act with the greatest respect towards their former masters, to-

wards their widows, and towards their children; insomuch that any injury they may do them shall be punished more severely than if committed against any other persons; the directors being always free and clear as regards them of all other charges, duties, and profitable services to which their former masters would have laid claim, as well upon their persons as upon their goods and inheritances, in the relation of masters.

ARTICLE LIV.—We grant to persons affranchised the same rights, privileges, and immunities enjoyed by those born free: Decreeing that the blessings of liberty thus purchased, shall effect for them, as well with respect to their persons as their property, the same objects that result from the advantage of natural freedom to our other subjects: and all this, notwithstanding the exceptions specified in Article fifty-second of these presents.

ARTICLE LV.—We declare those confiscations and fines of which no particular appropriation has been made by these presents, to belong to the said Indies Company—to be paid over to those who superintend the receipt of the taxes and révenues: Decreeing, nevertheless, that one third part of said confiscations and fines be set apart for the benefit of the hospital nearest the place where they shall have been decreed.

So we proclaim as a mandate to our well-beloved and trusty servants composing our Superior Council in Louisiana, that they cause these presents to be read, published, and registered, to guard what is contained therein, and observe them according to their form and tenor—all ordinances, declarations, decrees, regulations, and usages to the contrary notwithstanding, which we have repealed, and do hereby repeal, by these presents. For such is our pleasure. And in order that this may be made firm and binding, we have caused our seal to be affixed thereto.—Given at Versailles, in the month of March, in the year of Grace one thousand seven hundred and twenty-four.—Signed, Louis.”\*

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\*Le Code Noir ou Recueil de Reglemens, p. 281.

The pacific relations which were maintained between England and France, from 1713 to 1744, were favorable to the growth of the French and English colonies in North America; but the grasping policy of the Indies Company was strongly opposed and often frustrated by the Spaniards of Florida, and by the Indian tribes who inhabited the country on the borders of the river Mississippi, south of the thirty-sixth degree of north latitude. In 1729, the French settlements at Natchez, and those on the Yazoo and Washita, were destroyed by the Natchez Indians. These settlements, collectively, comprised within their limits about seven hundred colonists, "of whom scarcely enough survived to carry the tidings of the destruction to the capital."\* In the course of the next year, 1730, the Natchez nation of Indians was exterminated by the French. Hundreds were massacred; a few sought refuge among the Chickasaws and were adopted by that tribe, and many were taken and reduced to slavery. These acts of injustice and oppression were the last memorable events that signalized the administration of the Indies Company in North America.

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\*Flint.

### CHAPTER III.

WHEN the Indies Company gave up their charter, on the 10th of April, 1732, France resumed the government of Louisiana. The Governor-General, and the Intendant of the Province, jointly, were authorized to grant lands to settlers; and all concessions or grants of lands which were made without the sanction of these officers were void. M. D'Artuguiette was appointed "commandant-general for the king, for the province of Illinois," and a small military force was stationed at Fort Chartres. A code of laws, entitled the Common law of Paris, was nominally, but never effectively, extended over the district of Illinois. Many parts of that code were inapplicable to the unsettled state of the colony; and, even those general laws which were applicable to the condition of the people, were not enforced with strictness, nor with uniformity. The commandants, at the different posts, exercised an arbitrary authority over the French population within their respective jurisdictions; but the government which was administered by these officers was neither oppressive nor complex.

The Indies Company had engaged in the prosecution of its designs many men of education, talents, and enterprise. After the failure of the projects of the company, some of this class of adventurers returned to France; some established their residence at New Orleans; others settled in Canada; and a very small number remained in the Illinois country. The more numerous class of colonists who had been attracted to this district was composed of indigent and illiterate persons. Few of them had come prepared for either agricultural or commercial pursuits, "and when the dreams of sudden wealth, with which they had been deluded, faded from before them, they

were not disposed to engage in the ordinary employments of enlightened industry. The few who were engaged in mercantile pursuits, turned their attention almost exclusively to the traffic with the Indians, while a large number became hunters and boatmen.”\*

The Chickasaws had for a long time obstinately opposed the advancement of the French settlements on the Mississippi between New Orleans and the Illinois; and the hostility of this tribe of Indians constituted one of the principal obstacles which prevented a regular and safe communication between Canada and the southern settlements of Louisiana. The French authorities of these Provinces therefore determined to concentrate a strong military force in the country of the Chickasaws, in order to subdue the power of that hostile tribe. In the year 1736, about two hundred French and four hundred Indians,† under the command of M. D’Artuguiette, moved from the place of rendezvous in the Illinois district, and passed down the Mississippi, to form a junction with another military force which had been recruited under Bienville, at the south. Francis Morgan de Vincennes, who was an officer of the king’s troops, and a commandant of a small post on the river Wabash, accompanied the expedition under D’Artuguiette. The party commanded by Bienville did not reach the place of rendezvous at the time which had been appointed to form a junction with the Illinois forces, and D’Artuguiette and Vincennes, without waiting for the arrival of the expected reinforcement, commenced hostilities by attacking and destroying some small villages which were inhabited by a few of the hostile Indians. The Chickasaw warriors soon assembled in considerable numbers, and defeated their assailants. About forty Frenchmen and eight of their Indian allies were killed in the conflict; and many of the invading party were captured and afterwards burnt at the stake. Among those who perished in this expedition was M. de Vincennes, “who ceased not until his last

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\*Hall.

†Holmes’ Annals, ii, 8.—Bancroft, iii, 367, says “about fifty French soldiers, and more than a thousand red men.”

breath to exhort the men to behave worthy of their religion and their country.”\*

The expedition which marched from the south, was forced to retreat, and Bienville, soon afterwards, was constrained to conclude a treaty of peace with the Chickasaws. During a period of about twelve years, succeeding the conclusion of this treaty, no event of great interest occurred, to affect either the peace or the general condition of the French settlements in the west. The war which broke out between England and France in 1744, and lasted until the treaty of Aix-la-Chapelle, in 1748, involved in its struggles the French and the English colonies situated near the Atlantic coast; but the tranquillity of the isolated French population in the Illinois country, was not materially disturbed by the events of this remote warfare.

The treaty of Aix-la-Chapelle did not settle the controversy which existed between England and France, relating to the boundaries of their respective possessions in North America. While the former claimed the right of extending her dominions indefinitely westward of her possessions on the Atlantic coast, the latter claimed the whole valley of the Mississippi, and, from 1748 to 1760, opposed all the attempts which were made by the English to establish settlements on the western side of the Allegheny mountains. As early as 1716, Governor Spotswood, of Virginia, proposed a plan for forming a company to settle the lands on the river Ohio; but the scheme was frustrated, “partly by the indolence and timidity of the British ministry, who were afraid of giving umbrage to the French.”† From the time of the failure of this plan until the year 1748, the English made no direct attempts to extend their trade or their settlements as far westward as the river Ohio; although, in 1729, a Mr. Joshua Gee published an ingenious discourse on trade, in which he earnestly urged the planting of British colonies westward as far as the Mississippi, and on the rivers falling into it.‡ The French, however, continued to advance

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\*Charlevoix.

†Smollett, ii, 125.

‡Anderson's *Hist. of Commerce*.

their missionary stations, and their trading posts in the west.\* By this means they hoped, not only to fortify the power of France in those regions, but to exclude the English from any communication or traffic with the Indian tribes that inhabited the country lying on the western side of the Allegheny mountains. But the commercial spirit of the French did not keep pace with their ambition. They could not supply all the tribes with the necessaries they wanted; and some of the western Indians, therefore, had recourse to the English settlements. This intercourse soon induced the British traders to make efforts to establish a regular traffic among the Indians who dwelt on the borders of the river Ohio.

In 1748, a treaty of alliance and friendship was concluded, at Lancaster in the Province of Pennsylvania, between the English and the Twightwees.† This was the first connexion which the English formed between themselves and the powerful Miami confederacy. A literal copy of this treaty is here inserted:

“Whereas at an Indian treaty held at Lancaster, in the County of Lancaster in the Province of Pennsylvania on Wednesday the twentieth Day of July instant Before the Honorable Benjamin Shoemaker Joseph Turner and William Logan Esquires by Virtue of a Commission under the Great Seal of the said Province dated at Philadelphia the sixteenth Day of the said month Three Indian Chiefs Deputies from the Twightwees a Nation of Indians scituate on or about the River Ouabache a Branch of the River Mississippi viz. Aquenackqua Assepana Natooequeha appeared in Behalf of themselves and their Nation ‡ and prayed that the Twightwees might be admitted into the Friendship and Alliance of the King of Great Brittain and his Subjects, professing on their parts to become true and faithfull Friends and Allies to the English and so for

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\*During the year 1743, the peltry imported from Canada to the port of Rochelle, in France, was worth about 120,000 pounds sterling. The total amount of sales of the [English] Hudson Bay Company during the same year, was 33,296 pounds sterling.—[Anderson's Hjs. Commerce, iii, 237, 239.]

†Miamies.

‡These Deputies represented twelve towns.

ever to Continue, and Scayroyiady Cadarianirha Chiefs of the Oneida Nation, Suchrachery of the Seneka Nation, Cani-inecodon Cunlyuchqua Echnissia of the Mohocks \* \* \* Dawachcamicky Dominy Buck Ossoghqua of the Shawanese and Nenatchiehon of the Delawares \* \* \* \* \* all of them Nations in Friendship and Alliance with the English becoming Earnest Intercessors with the said Commissioners on their Behalf the Prayer of the said Deputies of the Twightwees was Granted and a firm Treaty of Alliance and Friendship was then stipulated and Agreed on Between the said Commissioners and the said Deputies of the Twightwee Nation as by the Records of Council remaining at Philadelphia in the said Province may more fully appear. Now these Presents Witness and It is hereby declared That the Said Nation of Indians called the Twightwees are accepted by the said Commissioners as Good Friends and Allies of the English Nation and That They the said Twightwees and the Subjects of the King of Great Britain shall forever hereafter be as One Head and One Heart and live in true friendship as one people. In consideration whereof the said Aquenackqua Assepansa Natoequeha Deputies of the said Twightwee Nation do hereby in Behalf of the said Nation Covenant Promise and Declare That the several people of the said Twightwee Nation or any of them shall not at any time hurt Injure or Defraud or Suffer to be hurt Injured or Defrauded any of the Subjects of the King of Great Britain either in their persons or Estates, But shall at all times readily Do Justice and perform to them all acts and offices of Friendship and Goodwill. Item: That the said Twightwee Nation by the Alliance aforesaid becoming Intitled to the priviledge and protection of the English Laws They shall at all times behave themselves Regularly and Soberly according to the laws of this Government whilst they shall live or be amongst or Near the Christian Inhabitants thereof. Item: That none of the said Nation shall at any time be Aiding Assisting or Abetting to or with any Other Nation whether of Indians or Others that shall not then be in Amity with the Crown of England and this Government. Item: That if at any time any of the said Twightwee

Nation by means of Evil Minded Persons and Sowers of Sedition should hear of any Unkind or Disadvantageous Reports of the English, as if they had Evil Designs Against Any of the said Indians, In such case such Indians shall send Notice thereof to the Governor of the Province for the Time Being and shall not Give Credit to the Reports till by that means They shall be fully satisfied of the Truth thereof. And It is Agreed That the English in such case shall do the same by them.—In Testimony whereof as well the said Commissioners as the said Deputies of the Twightwee Nation have Smoked y<sup>e</sup> Calumet Pipe made mutual Presents to each Other and hereunto sett their Hands and Seals the Twenty-third Day of July in the Year of Our Lord one thousand seven hundred and Forty-Eight, and in the Twenty-second Year of the Reign of George the Second King of Great Brittain France and Ireland Defender of the Faith &c.”

The treaty was “signed, sealed, and delivered in the presence of Richard Peters, Secretary, Conrad Weiser, Interpreter, Andrew Montour, Interpreter, Geo. Croghan, Jon. Forsythe, Conrad Doll, Michael Hubby, Andrew Parit, Tho. Cookson, Peter Warrall, Ed. Smout, Adam Simon Kuhn, David Stout, and Geo. Smith.”

In the year 1748, Thomas Lee, one of the King's Council in Virginia, formed the design of effecting settlements on the wild lands west of the Allegheny mountains, through the agency of a company. Mr. Lee associated himself with Mr. Hanbury, a merchant of London, and with twelve other persons, some of whom resided in Virginia; others were citizens of Maryland. The association was called the Ohio Company. A petition was presented to the king in behalf of the members of this company, and, in 1749, they received a grant of half a million of acres\* of land lying about the river Ohio. The grantees were also invested with an exclusive privilege of trading with the Indian tribes.

From the foundation of the English and French settlements in North America till this period the British colonial policy

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\*Washington's writings, ii, 433.

was in no small degree favorable to the interests of agriculture and manufactures, while the unsettled, grasping, and magnificent policy of France gave to those important branches of national industry no beneficial encouragement. Even as late as 1734, a number of the French inhabitants of the fertile country about Detroit, reported to the Governor-General of Canada, that "they had not dared to undertake any clearings and establish farms, because they had no titles which could secure to them the property thereof." \* In the course of half a century, these different systems of colonial government, combined with the operation of other causes, produced an astonishing change in relation to the strength, respectively, of the English and French colonies in America. The white population of the former, in 1749, was estimated at one million and fifty-one thousand, while that of the latter was computed at only fifty-two thousand souls.† Notwithstanding this apparent disparity of numbers, the French immediately began to take active measures to defeat the schemes of the Ohio Company.

In 1749, Louis Celeron, "Knight of the military order of St. Louis," was sent by the Governor-General of Canada, with a small expedition "for the purpose of depositing medals at all important places in the country claimed by France in the west—such as the mouths of the most considerable streams, &c."‡

On the 17th of January, 1750, Mr. Hamilton, the Governor of Pennsylvania, laid before his council a letter from Celeron, dated "Camp on the river Ohio, at an old Shawanee village." In this letter the French officer stated that he was surprised to find English traders from Pennsylvania in a country to which England never had any claim; and he requested the Governor to forbid their future intrusion, and to advise them of their danger in trespassing on the territories of France.|| The Governor of Canada soon afterwards wrote to the Governors of New York and Pennsylvania, informing them that as the English inland traders had encroached on the French territo-

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\*Am. State Papers, Public Lands, vol. i, p. 251.

†History of the British Empire in North America—Marshall's Col. Hist. p. 279.

‡Atwater.

||Minutes of Council of Pennsylvania.

ries and privileges by trading with the Indians under the protection of France, he would cause such persons to be seized wherever they could be found, if they did not immediately desist from that illicit practice.\* This threat, however, did not prevent the Ohio Company from prosecuting their designs. They employed an agent, Christopher Gist, "to explore the country, examine the quality of the lands, keep a journal of his adventures, draw as accurate a plan of the country as his observation would permit, and report the same to the Board." In the course of the years 1750, 1751, and 1752, Mr. Gist and other British subjects explored the country southwardly as far as the falls of the river Ohio, and northwardly several miles up the Miami and Scioto valleys. On the 13th of June, 1752, at Loggstown, about eighteen miles below the confluence of the Monongahela and Allegheny rivers, Col. Fry and two other commissioners on the part of Virginia, obtained a promise from some Indians, that they would not "molest any settlements that might be made on the south-east side of the Ohio." In the course of the same year the agents of the Ohio Company established a trading house, among the Twigh-twees, on what is now called Loramie's creek, about forty-seven miles north of the present town of Dayton, in the state of Ohio.†

While the English were thus prosecuting their designs, the French erected a fort at Presqu'Isle on Lake Erie, and soon afterwards advanced their posts to Venango, on the Allegheny at the mouth of French creek, about seventy miles northward of the confluence of the Monongahela and Allegheny rivers.

In 1753, the British ministry, foreseeing that the controversy concerning the extensive and fertile regions on the western side of the Allegheny mountains could be settled only by the sword, earnestly urged the English colonies in America to form a union. In Virginia, preparations were made to raise a regiment for the protection of the frontiers; the General Assembly of that colony passed an act for the encouragement of

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\*Smollett, ii, 125.

†N. A. Review, No. C.

settlers on the waters of the Mississippi, and Major George Washington was sent with a letter from Governor Robert Dinwiddie to the commandant of the French forces about the Ohio, requiring him to withdraw from the dominions of Great Britain. This letter was delivered, at a fort on the western branch of French creek, to M. Le Guarduer de St. Pierre. That officer answered, in reply to this message, that "it was not his province to specify the evidence, and demonstrate the right of the king his master to the lands situated on the river Ohio; but he would transmit the letter to the Marquis du Quesne, and act according to the answer he should receive from that nobleman. In the mean time, he said, he did not think himself obliged to obey the summons of the English Governor; that he commanded the fort by virtue of an order from his general, to which he was determined to conform with all the precision and resolution of a good officer."\*

At this time the French had a number of posts and small settlements scattered over the great valley of the Mississippi. Kaskaskia, Cahokia, Vincennes, the post of Arkansas, Natchitoches on Red River, and Natchez on the Mississippi, were rallying points of the trafficking population in this immense region, while New Orleans, Mobile, and Detroit, had become places of considerable commerce. From these various points the influence of the French was disseminated among the Indians, and while the Six Nations and a branch of the Miamies were almost the only allies of the English, the French were connected by ties of interest and friendship with nearly all the tribes of the north and west.†

In the spring of 1754, Major Washington received orders to proceed, with a detachment of two hundred men, to the point at the confluence of the Allegheny and Monongahela rivers, and there to complete a fort which the Ohio Company had begun to build.‡ The attempt which was made to execute this

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\*Smollett.

†Frost's U. S. 170.

‡Governor Dinwiddie issued a proclamation inviting the people to enlist in the service against the French, and, as an inducement, promised that the quantity of two hundred thousand acres of land should be laid out and divided among the adventurers, when the

order was defeated by the French. A strong force, consisting of about one thousand men with eighteen pieces of cannon, under the command of M. Contrecoeur, passed down the Allegheny from Venango, early in the spring of 1754, and landed at the site which Washington had been ordered to fortify. After driving off a small detachment of militia and some workmen who were engaged in the service of the Ohio Company, the French erected Fort Du Quesne. This fort was completed in April, 1754.

During the time which elapsed between the years 1749 and 1754, the French and their Indian allies captured a number of English traders on the borders of the Ohio, seized their peltries and other commodities to the value of twenty thousand pounds sterling,\* and took possession of a block-house and truck-house which the agents of the Ohio Company had erected at Loggstown, on the Ohio. The Twightwees, in resentment of the injuries done to their allies, captured three French traders and sent them to Pennsylvania. The French then determined to punish these Indians for their adherence to the cause of the English; and in 1752, parties of warriors, acting under the direction of French officers and traders, attacked the Twightwees, killed fourteen Indians of that tribe, and took possession of the English trading post on Loramie's creek. In November, 1752, Governor Dinwiddie, of Virginia, sent a message to the Twightwees. In this message, which was written on a sheet of parchment about eight inches square, the Governor said, "I received Your Belt of Wampum and Scalp, by the Bearer Thomas Burney, and Your Speeches, with a Beaver Blanket, Pipe, and Belt of Wampum, by Capt. Trent and Mr. Montour. It has given me great Concern for the late Stroke that You have received from the Indians in

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service should be at an end. One hundred thousand acres of land was to be laid out at the confluence of the Allegheny and Ohio rivers; and the other one hundred thousand acres on the Ohio. On the appearance of this proclamation, Mr. Hamilton, the Governor of Pennsylvania, wrote to Governor Dinwiddie, reminding him that the proposed grants of lands, and the settlements which might be made thereon, should not be made use of to prejudice the right of the Province of Pennsylvania to the territories about the upper waters of the river Ohio.

\*Rider's His. xl. 71—Smollett ii, 152.

the Interest of the French, and of their barbarous Murdering of Your People." The message was signed by "DINWIDDIE," and addressed to "*Sachems and Warriors of the Twightwees, our Friends and Brethren.*"

When Major Washington, acting under the instructions of the Governor of Virginia, visited the head waters of the Ohio, in 1753, he was informed that the French, at that time, had four small forts on the Mississippi between New Orleans and the Illinois. At New Orleans there were "thirty-five companies of forty men each, with a pretty strong fort mounting eight carriage guns;" and at the Illinois there were "several companies and a fort mounting six guns." There was, also, a "small palisadoed fort," on the Ohio at the mouth of the Wabash.

In 1754, a plan was proposed, by Dr. Benjamin Franklin, for establishing strong English colonies in the territory northwest of the Ohio, to prevent "the dreaded junction of the French settlements in Canada with those of Louisiana." Dr. Franklin proposed to plant one colony in the valley of the river Scioto; and to erect small fortifications at the following points, viz:—at Buffalo creek on the river Ohio; at the mouth of Tioga on the south side of Lake Erie; at Hockhocking, and at, or near, the mouth of the Wabash. He also proposed that "Sandusky, a French fort near Lake Erie, should be taken; and all the little French forts south and west of the lakes, quite to the Mississippi, be removed, or taken and garrisoned by the English." "Every fort," he said, "should have a small settlement around it; as the fort would protect the settlers, and the settlers defend the fort and supply it with provisions."\*

In May, 1754, De Villiers, an officer at Fort Du Quesne, sent the Sieur de Jumonville, at the head of a small party, with a formal summons to Washington requiring him to withdraw with his forces from the territories of France. This party was attacked on the 28th of May by the troops under Washington, at a place called the Little Meadows. Jumonville was slain, and all his men either killed or captured. Soon after this

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\*Franklin's Writings, edited by Sparks, iii, 70.

event, Washington was told that De Villiers, at the head of a force consisting of nine hundred men, French and Indians, was marching against him: Having, at this time, only about three hundred men under his command, he retreated to the Great Meadows, and on the first of July, at that place, began to fortify a rude post which he called Fort Necessity.\* On the 3d day of July, 1754, the post was attacked by the forces under De Villiers. After a gallant defence Washington agreed to capitulate on terms which were proposed by De Villiers. The conduct of the French officer was, on this occasion, honorable and magnanimous. It was stipulated in the articles of capitulation that Washington and his weak and reduced detachment should march from the fort with the honors of war, and carry with them their military stores and baggage. De Villiers, in giving an account of the action says, "On the 4th at the dawn of day I sent a detachment to take possession of the fort. The garrison defiled, and the number of their dead and wounded excited my pity, in spite of the resentment which I felt for the manner in which they had taken away the life of my brother."†

When information reached England concerning the erection of Fort Du Quesne, and the defeat of the provincial forces under Washington, the British government gave orders for a vigorous preparation for war. The English colonies were directed to take up arms, and act with united exertions against the French in North America.

In February, 1755, Major-General Edward Braddock arrived at Alexandria, in Virginia, with the forty-fourth and forty-eighth regiments of British Regulars, commanded by Sir Peter Halket and Colonel Dunbar. On his arrival in Virginia, Braddock immediately began to make preparations to carry a strong expedition against Fort Du Quesne; and, on the 12th of June, having received a reinforcement of about one thousand provincial troops he began his march from Will's creek, (afterwards

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\*The site of Fort Necessity at the Great Meadows is three or four hundred yards south of what is now called the National Road, four miles from the foot of Laurel Hill.—[Butler.

†Alluding to the death of Jumonville.

called Fort Cumberland.) \* with an army which amounted to somewhat more than two thousand effective men. General Braddock was a strict disciplinarian, and a man of courage; but he was "very haughty, positive, and difficult of access." † These latter qualities contributed in no small degree to bring about the disastrous and fatal defeat which he encountered on this expedition. When his army reached the Little Meadows, about four days' march from Fort Du Quesne, he was informed that the French at that fort expected a reinforcement of five hundred regular troops. On receiving this information Braddock left Colonel Dunbar, with about eight hundred men, to bring up the provisions, stores, and heavy baggage, as fast as the nature of the service would permit; and with the other twelve hundred men, together with ten pieces of cannon and the necessary ammunition, he "marched on with so much expedition that he seldom took time to reconnoitre the woods or the thickets he was to pass through, as if the nearer he approached the enemy the farther he was removed from danger." ‡ He pressed forward with his forces, and on the 9th of July re-crossed the Monongahela, at a fording place about eight miles from Fort Du Quesne. Colonel Washington, Sir Peter Halket, and other officers had earnestly entreated General Braddock to proceed with caution, and to employ, as scouting parties, some friendly Indians who had joined him. But his conceit of his abilities as a commander induced him to neglect these counsels; and the Indians, who would have been his safest guards against an ambush or surprise, "were so disgusted by the haughtiness of his behavior that most of them forsook his banners."

After crossing the Monongahela on the 9th, the army entered upon "a level plain elevated but a few feet above the surface of the river, and extending northward about half a mile from its margin: then commenced a gradual ascent, at an angle of about three degrees, which terminated in hills of a considerable height at no great distance beyond. The road to Fort

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\* About one hundred and five miles south east from Pittsburgh.

† Smollett.

‡ Smollett.

Du Quesne led over this plain, and up this ascent." Colonel Dunbar was at this time about forty miles behind Braddock. Leaving the English forces in these positions, it is necessary to turn, for a moment, to regard the operations of the French.

Early in July, the commandant of Fort Du Quesne received from Indian and French scouts, information which led him to believe that the army under General Braddock amounted to three thousand men. M. Contrecoeur was preparing to evacuate the fort, and retreat before a force which he supposed to be so greatly superior to that which was then under his own command: but M. de Beaujeu, a captain in the French service, "proposed to head a detachment of French and Indians, and meet the enemy on their march." The Indians were, in some degree, opposed to this design; but the entreaties of M. de Beaujeu finally induced them to accompany him. He was also joined by Captains M. Dumas, and Liguery. The 7th and 8th days of July were passed in making preparations for the attack; and, on the 9th, a force consisting of about two hundred and fifty French and six hundred Indians lay in ambush, seven miles from Fort Du Quesne, on the borders of the route which Braddock had determined to follow after crossing the Monongahela.

The English forces, after crossing the river on the 9th, were formed in three divisions, which was the order of march. The division in advance, led by Colonel Gage, was composed of three hundred men, this was followed by a division of two hundred men, and next came the General with the columns of artillery, the main body of the army, and the baggage. After these divisions passed the plain which extended a few hundred yards from the river, their route lay over an ascending ground covered with trees and high grass. At the commencement of this ascent began a ravine, eight or ten feet deep, which, as it extended up the rising ground, "formed a figure nearly resembling that of a horse-shoe." The first and second divisions under Braddock had passed into this hollow, and the British columns in advance had reached the rising ground, when the French and Indians, from their places of concealment, poured

a destructive fire upon the front and the left flank of their enemy. The English columns in front returned a fire so heavy that the Indians, thinking it proceeded from artillery, began to waver. M. Beaujeu was at this moment mortally wounded, and the command devolved on M. Dumas. This officer soon removed the fears of the Indians, and, in their mode of warfare, they kept up an incessant fire upon the right and left flanks of the English, while the French force under Dumas maintained its position on the rising ground near the head of the ravine.\* When the attack commenced, Braddock began to move rapidly forward to the support of the divisions in front; but before this movement could be effected, the columns in front gave way, and "fell back upon the artillery and the other columns of the army, causing extreme confusion, and striking the whole mass with such a panic that no order could be restored." †

Notwithstanding the orders of the General to the contrary, the three companies of Virginia troops took positions behind trees and other coverts, and fought in the Indian manner. These troops "showed a good deal of bravery, and were nearly all killed; out of three companies that were there, scarcely thirty men were left alive. Captain Peyrouny, and all his officers down to a corporal, were killed. Captain Polson had nearly as hard a fate, for only one of his was left." ‡ Many of the Indians, gaining confidence by the confusion of the British regulars, rushed from their coverts and carried on the carnage with their tomahawks. In the midst of the slaughter, Braddock himself, who was unwisely brave, struggled in vain to form his men in platoons and columns. In the meantime nearly all his officers were killed or wounded. The whole number of officers in the engagement was eighty-six, of whom twenty-six were killed and thirty-seven wounded. Sir Peter Halket fell by the first fire, at the head of his division. Col.

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\*The distance from the head of the ravine to the ford where the troops crossed the Monongahela, was about one hundred and eighty-eight perches.

†In a letter to Governor Dinwiddie, Washington wrote as follows: "It is conjectured, I believe with much truth, that two-thirds of both killed and wounded, received their shot from our own cowardly regulars, who gathered themselves into a body contrary to orders ten or twelve deep, would then level, fire, and shoot down the men before them."

‡Washington.

Washington, who was one of the aids of General Braddock, escaped without a wound, though four bullets passed through his coat, and two horses were shot under him.\* Braddock had three horses shot under him; but his obstinacy seemed to increase with the danger,† and he continued his efforts to maintain the conflict, until at last he received a mortal wound from a musket ball which passed through his right arm and lungs. He was immediately carried from the field, and the remnant of the army then retreated in a very disorderly manner across the Monongahela. The Indians, being attracted by the plunder which they found on the field, did not pursue the retreating forces, who continued their flight until they arrived at the camp of Colonel Dunbar, where the unfortunate Braddock died, on the 13th of July. All the stores except those necessary for immediate use were then destroyed; the provincial troops returned to their homes; and the British regulars were marched to Philadelphia, where they went into quarters. In this conflict the loss of English private soldiers, killed and wounded, amounted to seven hundred and fourteen. Of this number about one half were killed. The artillery, ammunition and baggage of the defeated army, together with a number of letters of instruction to General Braddock, fell into the hands of the French. The loss on the side of the French was, in the words of an imperfect return, "three officers killed, and four wounded; about thirty soldiers and Indians killed, and as many wounded."

France and Great Britain, soon after the defeat of General Braddock, began to send strong reinforcements from Europe to their respective colonies in America; but during a period of three years succeeding that defeat, the French remained undisturbed in possession of Fort Du Quesne. Meanwhile the settlements on the western frontiers of Pennsylvania, Maryland, and Virginia, were destructively assailed by the Indians, and were generally broken up. By an act, of August, 1755, the General Assembly of Virginia offered a reward of ten

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\*Letter from Washington to his mother, dated July 18, 1755.

†Smollett.

pounds sterling for every scalp of a hostile Indian above twelve years of age.\*

In the autumn of the year 1758, the French at Fort Du Quesne, having been informed of the approach of seven thousand English troops under the command of General Forbes,† dismantled the fort in the latter part of November, and, “to the number of about five hundred men,”‡ retreated to different French posts. A considerable number went to Venango, some continued their retreat to Presq’Isle, and others moved in boats, down the river Ohio. The fortifications were hastily repaired by the English, and garrisoned by four hundred and fifty men, chiefly provincial troops from Pennsylvania, Virginia, and Maryland, under the command of Col. Mercer.|| The name of the post was then changed to Fort Pitt.

The retreat of the French from Fort Du Quesne gave the English possession of the country on the borders of the Ohio, and at the same time produced an important change in the disposition of the Indian tribes of that region. It had on many occasions been the practice of war parties to assemble at Fort Du Quesne, for the purpose of making their destructive attacks on the frontiers of the English colonies; but, finding the current of success to be running against the French, the Indians during the years 1760, 1761, and 1762, seemed to be willing to reconcile themselves to their powerful and persevering enemies; and before the close of the year 1764, nearly all the tribes that occupied the country between the Ohio and the northern lakes concluded treaties of peace and friendship with the English.

In the month of September, 1759, Quebec, the strong hold

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\*Hening’s Stat. vi, 551.

†Before the army under General Forbes was put in motion, Major Grant was detached from the advanced post at L’yal-Henning, with about eight hundred men to reconnoitre Fort Du Quesne and the adjacent country. He imprudently invited an attack from the French and their Indian allies; and the result was that upwards of three hundred of the English detachment were killed and wounded, and Major Grant himself was made a prisoner. The remnant of the detachment, which was, probably, saved by the bravery and good conduct of Captain Bullitt, retreated to the main army.—[Vide Marshall’s Col. His. 322.

‡Washington’s writings, ii, 320.

||Gordon’s His. Pennsylvania, 368,

of the French in Canada, was taken by the English forces under Generals Wolfe, Monckton, and Townshend. The French forces were commanded by the Marquis de Montcalm. While the battle raged upon the heights of Abraham, Wolfe received a ball in his wrist: he hastily wrapped his handkerchief around the wound, and continued to encourage his troops. A moment afterwards a shot entered his groin. This wound he also concealed, and was advancing at the head of his grenadiers with their bayonets fixed, when a third bullet pierced his breast. Finding himself mortally wounded, and unable to stand, he leaned upon the shoulder of a lieutenant who sat down for that purpose. This officer, seeing the French give way, exclaimed "they fly!—they fly!" "Who fly?" cried the dying General, in a tone of great anxiety. When the lieutenant replied, "the French," Wolfe said, "then I depart content."\* The brave Montcalm was mortally wounded in the battle, and expired on the same day. When told that he could survive only a few hours, he calmly replied, "So much the better: I shall not then live to see the surrender of Quebec."

In this battle the colossal French power in North America received a fatal stroke. The joy of the English colonists was great; and when the news of the surrender of Quebec reached England a day of solemn Thanksgiving was appointed by proclamation throughout the dominions of Great Britain.† In the course of the next year, 1760, Montreal, Detroit, Michilimackinac, and all other posts within the government of Canada, were surrendered by the Marquis de Vaudreuil to the English commander-in-chief, General Amherst, on condition that the French inhabitants should, during the war, be "protected in the free exercise of their religion, and the full enjoyment of their civil rights, leaving their future destinies to be decided by the treaty of peace."

A definitive treaty of peace between France and England, was concluded at Paris, on the 10th of February, 1763. The

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\*Belsham.—Marshall.—Smollett.

†Smollett.

preliminary articles of the treaty had been adjusted and signed on the 3d of November, 1762. France by this treaty ceded to Great Britain not only Nova Scotia, Canada, and all their dependencies, but it was agreed, in order to establish peace on solid and durable foundations, and to remove forever all subjects of dispute with regard to the British and French territories on the continent of North America, that the confines between the dominions of his Britannic majesty and those of France, on this continent, should be fixed irrevocably "by a line drawn along the middle of the river Mississippi from its source to the river Ibberville, and from thence by a line drawn along the middle of this river, and the lakes Maurepas and Pontchartrain, to the sea;" and for this purpose France ceded in full right and guarantied to Great Britain, the river and port of Mobile, and every thing she possessed on the left side of the river Mississippi, except the town of New Orleans and the island on which it is situated. The navigation of the Mississippi was to be open and free in its whole length and breadth, from its source to the Gulf of Mexico, and particularly that part which is between the island of New Orleans and the right bank of the river, as well as the passage in and out of its mouth. The vessels of the subjects of the high contracting parties were not to be stopped, visited, nor subjected to the payment of any duty whatsoever.\*

In the month of November, 1762, France, by a secret convention, ceded all that part of Louisiana which lay westward of the river Mississippi to Spain. The province was to be delivered whenever Spain should be ready to receive it: but this was not officially announced to the inhabitants of Louisiana, until the 21st of April, 1764; nor did Spain receive possession until the 17th of August, 1769.†

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\*American State Papers, vol. x, 135,

†Rayn. ix, 222, 235.

## CHAPTER IV.

IN the fall of the year 1760, after Canada and its dependencies had been surrendered to the English, Major Robert Rogers at the head of a considerable force, was despatched from Montreal, by General Amherst, to take possession of Detroit and Michilimackinac; which posts, according to the conditions of the capitulation, were to be given up by the French commanders, and to be garrisoned by detachments of British soldiers. The forces under the command of Major Rogers were the first English troops that ever penetrated into that region. On his route from Montreal to the western part of Lake Erie, Major Rogers was received in a friendly manner by different tribes of Indians, who appeared to be gratified on hearing that the French had surrendered the country: but on drawing near to Detroit the English forces received a message from Pontiac, an Ottawa\* chief of distinction, requesting them to stop, until he should arrive at their camp, and "see them with his own eyes." The messengers were also directed to represent their chief as the master and ruler of the country which the English had then entered. The troops were drawn up, and Pontiac soon arrived at their encampment. After the first salutation, he sternly demanded of Rogers to tell him the business on which the English had come, and how they had dared to venture on *his* territories without his permission. Major Rogers, who was a prudent officer, replied that he had no design against the Indians; and that his only object was the removal of the French, who had been the means of preventing mutual

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\*Captain Jonathan Carver, who visited Detroit in 1766, says, perhaps erroneously, that Pontiac "was an enterprising chief, or head warrior of the Miamies."—[Carver's Travels, 96.

friendship and commerce between the Indian tribes and the English. He then offered a present of several belts of wampum. Pontiac received them; and gave Major Rogers a small string of wampum, saying "I shall stand, till morning, in the path you are walking,"—meaning by this expression, that the English detachment must not advance any farther without his permission. Before this conference was closed, he told Major Rogers that his warriors should bring some food to the English camp, if the soldiers were in want of it. To this the Major replied, that whatever provisions might be brought in should be well paid for. The troops were soon afterwards supplied with several bags of parched corn, and other necessities.

On the next morning Pontiac appeared in the English camp. He smoked the pipe of peace with Major Rogers, and declared that he thereby made peace with the British officer and his troops. He then told them that they should pass safely through his territories; and that his warriors should protect them from all hostile tribes. These were no idle promises. Pontiac accompanied Major Rogers to Detroit. He sent about one hundred Indian warriors to the assistance of a corps of troops who were driving a large number of cattle from Fort Pitt to Detroit for the use of the English forces. He also despatched messengers to several Indian towns, avowedly to inform the Indians that the English had his consent to march through the country, and take possession of the posts which had been occupied by the French.

If the favors which Pontiac at first dispensed to the English were bestowed with sentiments of friendship, the disposition of the chief was soon changed. The feelings of implacable hostility with which he began to regard the English in 1762, may be traced, first, to the influence of the French, who had been, for many years, the friends and allies of his tribe;\* and

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\*Peace had not then been definitely concluded between France and England; and while some of the French in the west aided and directed the bold genius of Pontiac, others remained in a state of neutrality. While addressing a grand council of Indians assembled at the river Aux Ecorces, Pontiac told them that the Great Spirit had appeared to a Delaware Indian, and spoke to him thus: "Why do you suffer these dogs in red clothing

secondly, to the sullen and domineering temper of the English themselves. \*

In the course of the year 1762, while the Indians seemed to be satisfied with the subjugation of the French, and the British traders were beginning to carry on a traffic among the tribes that dwelt between the lakes and the Ohio, Pontiac and his partizans were secretly organizing a powerful confederacy, by means of which it was their intention to crush, at a single blow, the English power in the west. This great scheme was skilfully projected and cautiously matured. Among the different tribes reports were circulated of a design formed by the English for the entire extirpation of the Indians.† Early in the spring of 1763 the Ottawas, Chippewas, Pottawattamies, Sacs, Foxes, Menominies, Miamies, [Twightwees,] Shawanees, Wyandots, and branches of some other tribes, were ready to make a simultaneous attack on all the British forts and trading posts in the country northwest of the Allegheny mountains. The attack was made in the month of May, 1763; and the Indians, without much opposition, took possession of the posts of Michilimackinac, Green Bay, St. Joseph, Ouatatonon, Miamis, Sandusky, Presq'Isle, Lebœuf, and Venango. With the exception of Michilimackinac, the fortifications at these places were then slight, being trading posts, and not properly military establishments. A small number of English traders about these posts were killed; some escaped, and others were taken prisoners, and remained in captivity until they were ransomed, or released on the return of peace. The British garrisons at Detroit and Fort Pitt, successfully resisted the attacks of the enemy; but the confederacy of hostile Indians made amends for these failures by spreading death and devastation along

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[the English] to enter your country and take the land I gave you? Drive them from it, and then, when you are in distress, I will help you." Pontiac also exhibited to the Indians a war belt, which he said the French king had sent over from France, ordering them to drive out the British and make way for the return of the French.—[Cass.—Lanman.—Thatcher.

\*Some of the Ottawa Indians had been disgraced by blows received from the English.  
—[Cass.

†Dodsley's An. Reg. for 1763, vi, 23.

the western frontiers of the provinces of New York, Pennsylvania, Maryland, and Virginia.\*

The fort at Michilimackinac, distant three hundred and twenty miles from Detroit, stood on the south side of the strait between the lakes Huron and Michigan. There was connected with the fort an area of two acres. This area was enclosed with cedar-wood pickets, extending on one side so near to the edge of the water that a western wind sometimes drove the waves against the foot of the stockade. There were within the limits of the enclosure about thirty small houses, inhabited by French families. The only ordnance on the bastions of the fort were two small brass pieces. The garrison consisted of ninety men, besides two subalterns, and Major Etherington,† the commandant. The task of capturing this fort had been allotted to the Sacs and the Chippewas, and the warriors of these tribes effected their object by means of a very ingenious stratagem. Nearly four hundred Indian warriors were encamped at Michilimackinac; and on the 4th of June, which was the birth-day of George III., these Indians began to amuse

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\* "There is most melancholy News here. The Indians have broken out in divers Places, and have murdered Col. C. and his Family. An Indian has brought a War belt to Tusquerora, who says that Detroit was invested, and St. Dusky cut off. All Levy's goods are stopped at Tusquerora by the Indians; and last Night eight or ten men were killed at Beaver Creek. We hear of scalping every Hour. Messrs. Cray and Allison's Horses, twenty-five, loaded with Skins, are all taken."—[Letter dated 'Fort Pitt, May 31,' 1763.]

"Last night I reached this place. I have been at Fort Cumberland several days, but the Indians having killed nine people there, made me think it prudent to remove from those parts, from which I suppose near five hundred families have runaway within this week. It was a most melancholy sight to see such numbers of poor people, who had abandoned their settlement in such consternation and hurry, that they had scarcely any thing with them but their children."—[Letter dated 'Winchester, Virginia, June 22d,' 1763.]

"I returned home last night. \* \* There has been a good deal said in the papers, but not more than is strictly true. Shippensburgh and Carlisle are now become our frontiers, none living at their plantations but such as have their houses stockaded. Upwards of two hundred women and children are now living in Fort Loudoun, a spot not more than one hundred feet square. I saw a letter from Col. S. late of the Virginia Regiment to Col. A. wherein he mentions that Great-Brier and Jackson's River are depopulated—upwards of three hundred persons killed or taken prisoners; that for one hundred miles in breadth and three hundred in length, not one family is to be found in their plantations; by which means there are near twenty thousand people left destitute of their habitations."—[Letter dated 'Philadelphia, July 27th,' 1763.—Vide Thatcher's Indian Biog. ii, 113.]

†Some time before the attack was made on the fort, this officer was informed of the hostility of the Indians; but he would not believe the report.

themselves by playing at a favorite game of ball, which they called "baggatiway." This game is played with a bat and ball, the bat being about four feet long, curved, and terminating in a sort of racket. Two posts are placed in the ground at the distance of half a mile or more from each other. The Indians are then divided into two parties, and each party has its post. On the ground, midway between the two posts, is placed the ball; and the players then endeavor to knock or throw it *from* the direction of their own post, and *towards* the post of their adversaries. The Indians played for some time with great animation, near the pickets of the fort, and part of the garrison went out to observe the progress of the game. In the ardor of the contest, the ball was sometimes, apparently by accident, thrown over the stockade. At such moments it was followed by numbers of both parties, who ran into and out of the fort with freedom. This artifice was repeated several times; when, finally, as the ball was thrown over the pickets, the Indians rushed into the enclosure and took possession of the fort. A furious attack was then made on the English soldiers, seventy of whom were killed and scalped.\* The remainder, being about twenty men, were saved as prisoners.

Early in the month of May, Pontiac appeared before Detroit at the head of three or four hundred warriors. These Indians, who were accompanied by their women and children, encamped near the fort, without exciting at first, any suspicion in the mind of Major Gladwyn, the commandant. The post was then garrisoned by one hundred and thirty men, including officers.† Three rows of pickets, enclosing about an acre and a half, surrounded the fort, in the form of a square. There were block-houses at the corners, and over the gates. With a few exceptions the houses of the French inhabitants were situated within the enclosure; and an open space which was called

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\*Lanman's *His. of Michigan*, 143.—Captain Carver says "the Indians had the humanity to spare the lives of the greatest part of the garrison and traders; but they made them all prisoners, and carried them off. However, some time after they took them to Montreal, where they were redeemed at a good price."—[Carver's *Travels*, 13.

†In addition to this number there were several English fur traders at Detroit. The value of the goods and commodities stored at this place, when Pontiac commenced his attack, has been estimated at five hundred thousand pounds sterling.

by the French *Le chemin du Ronde*, intervened between the houses and the pickets. The fortifications did not extend to the river Detroit, but a gate opened in the direction of that stream, in which, near the fort, the *Beaver*, an armed English schooner, was then moored. The ordnance of the fort consisted of two six-pounders, a few small brass pieces, and three mortars.

Such was the condition of affairs about Detroit, on the 8th of May, 1763, when Pontiac proposed to hold a council with Major Gladwyn, saying to that officer that "the Indians desired to take their new father, the king of England, by the hand." To this proposal Major Gladwyn gave his assent, and it was agreed between the parties that the council should be held in the fort on the next day. In making this apparently friendly overture it was the object of Pontiac to gain admittance into the fort, at the head of a number of warriors who were armed with rifles which had been made so short that they could be concealed under the blankets of those who carried them. At a particular signal, which was to be given by the chief, these Indians were to massacre all the officers in the fort, and then open the gates to admit the other Indians, who were to rush in and complete the destruction of the garrison. Major Gladwyn obtained information of this scheme before an opportunity occurred to execute it. "Carver states—and his account is substantially confirmed by tradition, as well as by other authorities\*—that an Indian woman betrayed the secret. She had been employed by the commandant to make him a pair of moccasins out of elk-skin, and having completed them, she brought them into the fort on the evening of the day when Pontiac made his appearance, and his application for a council. The Major was pleased with them, directed her to convert the residue of the skin into articles of the same description, and having made her a generous payment, dismissed her. She went to the outer door, but there stopped, and for some time

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\*Vide Thatcher's *Indian Biog.* ii, 93.—Lanman's *His. Michigan*, 122.—Drake, book v. c. iii, p. 53.—McKenney's "Tour to the Lakes," 130.—Discourse of Governor Cass.—Carver's *Travels*, 97.

loitered about, as if her errand was still unperformed. A servant asked her what she wanted, but she made no answer. The Major himself observed her, and ordered her to be called in, when, after some hesitation, she replied to his enquiries, that as he had always treated her kindly, she did not like to take away the elk-skin, which he valued so highly; *she could never bring it back*. The commandant's curiosity was, of course, excited, until the woman at length disclosed every thing which had come to her knowledge. Her information was not received with implicit credulity, but the Major thought it prudent to employ the night in taking active measures for defence. His arms and ammunition were examined and arranged; and the traders and their dependents, as well as the garrison were directed to be ready for instant service. A guard kept watch on the ramparts during the night, it being apprehended that the Indians might anticipate the preparations now known to have been made for the next day. Nothing, however, was heard after dark, except the sound of singing and dancing in the Indian camp, which they always indulge in upon the eve of any great enterprise. In the morning, Pontiac and a party of his warriors repaired to the fort. They were admitted without hesitation, and were conducted to the council-house, or the place assigned for the meeting, where Major Gladwyn and his officers were prepared to receive them. They perceived at the gate, and as they passed through the streets, an unusual activity and movement among the troops. The garrison was under arms, the guards were doubled and the officers were armed with swords and pistols. Pontiac enquired of the British commander what was the cause of this unusual appearance. He was answered, that it was proper to keep the young men to their duty, lest they should become idle and ignorant. The business of the council then commenced, and Pontiac proceeded to address Major Gladwyn. His speech was bold and menacing, and his manner and gesticulations vehement, and they became still more so as he approached the critical moment. When he was upon the point of making the preconcerted signal, the drums at the door of the council-house

suddenly rolled the charge, the guards levelled their pieces, and the British officers drew their swords from their scabbards. Pontiac was a brave man; but this unexpected and decisive proof that his plot was discovered, disconcerted him, and he failed to give his party the signal of attack. Major Gladwyn immediately approached the chief, and drawing aside his blanket, discovered the shortened rifle; and then, after stating his knowledge of the plan, and reproaching him for his treachery, ordered him from the fort. The Indians immediately retired, and as soon as they had passed the gate they gave a yell, and fired upon the garrison. They then proceeded to the commons where was living an aged English woman, with her two sons. These they murdered, and afterwards repaired to Hog Island, where a discharged sergeant resided with his family, who were all but one instantly massacred."

During three or four days immediately succeeding these events, the Indians made several attempts to carry the fort by storm. At one time, a cart, filled with combustible materials set on fire, was wheeled up against the pickets; at another time the besiegers were about to set fire to the chapel, by shooting blazing arrows upon its roof; but the warriors of the wilderness gave up this intention, when they were told by a Jesuit missionary that such an act would bring down upon them the condemnation of the Great Spirit. The assailants made several attempts to cut away the pickets, so as to make a breach. On one occasion, when such an attempt was made, Major Gladwyn ordered his men to assist the Indians in cutting away some of the pickets. This was done; and when an opening was made, the Indians began to rush into it; but they were suddenly and destructively repulsed by the discharge of a brass four-pounder which had been brought to bear upon the breach. After this repulse, the assailants did not at any time make a close assault upon the fort:\* but they maintained a

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\*"We have been besieged here two Months, by Six Hundred Indians. We have been on the Watch Night and Day, from the Commanding Officer to the lowest Soldier, from the 8th of May, and have not had our Cloaths off, nor slept all Night since it began; and shall continue so till we have a Reinforcement up. We then hope soon to give a good Account of the Savages. Their Camp lies about a Mile and a half from the Fort; and that's the

pretty close siege throughout the months of May, June, July, and August, during a part of which time the English garrison were compelled to subsist on half rations. About the 31st of May, Lieutenant Cuyler, who had been despatched from Niagara, arrived at Point Pelee with ninety-seven men, manning twenty small boats laden with provisions and stores for the garrison at Detroit. A few hours after the arrival of the English party at this place, they were surprised and defeated by a band of Pontiac's warriors, who took possession of all the boats, except one, in which an officer and thirty men escaped. Of the remainder of the party some were killed, and others captured. The prisoners were then compelled to navigate the boats, in each of which the Indians placed a guard; and thus the vessels, keeping close to the Canadian shore, moved up the Detroit river, attended by a considerable number of warriors, who marched along the banks. When the foremost boat arrived at a point nearly opposite to Detroit, four prisoners who were manning the boat determined to effect their escape or to perish in the attempt. They suddenly changed the course of the boat, and began to force her across the stream and towards the fort. The Indian guards, who attempted to stop them, after a short struggle leaped overboard, dragging with them one of the prisoners. The three who remained in the boat were fired on by the Indians, and one of the fugitives was wounded; but an armed vessel lying before Detroit opened a fire upon the Indians, and thus covered the retreat of the English boatmen until they reached the vessel. The Indians then landed the boats, and took the rest of the prisoners to Hog Island, where nearly all of them were put to death.

In the early part of June, a strong detachment of Indians left the siege, and proceeded to Fighting Island, for the purpose of intercepting a vessel laden with arms and provisions for the relief of the garrison at Detroit. The Indians, in their canoes, annoyed the English vessel very much, until the latter

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nearest they choose to come now. For the first two or three Days we were attacked by three or four Hundred of them; but we gave them so warm a Reception that they don't care for coming to see us, tho' they now and then get behind a House or Garden and fire at us about three or four Hundred yards' distance."--[Letter from Detroit, dated July 6, 1763.]

reached the point of the island, where, on account of the wind failing, she was compelled to anchor. To deceive the Indians in regard to the strength of his crew, the captain had concealed his men in the hold. Soon after dark the Indians embarked in their canoes and proceeded to board the vessel. "The men were silently ordered up and took their stations at the guns. The Indians were suffered to approach close to the vessel when the captain, by a stroke of a hammer on the mast, gave the signal for action. An immediate discharge took place, and the Indians precipitately fled, with many killed and wounded. The next morning the vessel dropped down to the mouth of the river, where she remained six days waiting for a wind. On the thirteenth she succeeded in ascending the river, and reaching the fort in safety." \*

Soon after these events occurred, Pontiac made some unsuccessful attempts to destroy the English vessels moored before Detroit. Large rafts constructed of combustible materials were towed to a certain position in the river, and there set on fire, with the expectation that the current would carry these burning masses into contact with the vessels.

A fleet of gun-boats, strongly armed, and having on board three hundred English regular troops under the command of Captain Dalyell, arrived at Detroit, late in the month of July. Soon after the arrival of this reinforcement, a battle was fought between the English and the Indians, at a place which, from the time of the engagement to the present day, has been called "Bloody Bridge." The English commander, in his official returns, gave the following minute account of this affair. "On the evening of the 30th July, Captain Dalyell, aid-de-camp to General Amherst, being arrived here with the detachment sent under his command, and being fully persuaded that Pontiac, the Indian chief, with his tribes, would soon abandon his design, and retire, insisted with the commandant that they might easily be surprised in their camp, totally routed and driven out of the settlement; and it was thereupon determined that Captain Dalyell should march out with two hundred and forty-

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\*Thatcher.

seven men. Accordingly we marched about half an hour after two in the morning, two deep, along the great road by the river side, two boats up the river along shore, with a patteraro in each, with orders to keep up with the line of march, cover our retreat, and take off our killed and wounded; Lieutenant *Bean*, of the *Queen's Independents*, being ordered, with a rear guard, to convey the dead and wounded to the boats. About a mile and a half from the fort, we had orders to form into platoons, and, if attacked in front, to fire by street-firings. We then advanced, and, in about a mile farther, our advanced guard, commanded by Lieutenant *Brown*, of the 55th regiment, had been fired upon so close to the enemy's breastworks and cover, that the fire, being very heavy, not only killed and wounded some of his party, but reached the main body, which put the whole into a little confusion; but they soon recovered their order, and gave the enemy, or rather their works, it being very dark, a discharge or two from the front, commanded by Captain *Gray*. At the same time, the rear, commanded by Captain *Grant*, were fired upon from a house, and some fences about twenty yards on his left; on which he ordered his own and Captain *Hopkins's* companies to face to the left and give a full fire that way. After which, it appearing that the enemy gave way every where, Captain *Dalyell* sent orders to Captain *Grant*, to take possession of the above-said houses and fences; which he immediately did; and found in one of the said houses two men, who told him the enemy had been there long, and were well apprised of our design. Captain *Grant* then asked them the numbers; they said above three hundred; and that they intended, as soon as they had attacked us in the front, to get between us and the fort; which Captain *Grant* told Captain *Dalyell*, who came to him when the firing was over. And in about an hour after, he came to him again, and told Captain *Grant* he was to retire, and ordered him to march in the front, and post himself in an orchard. He then marched, and about half a mile farther on his retreat, he had some shots fired on his flank; but got possession of the orchard, which was well fenced; and just as he got there, he heard a warm firing

in the rear, having at the same time, a firing on his own post, from the fences and cornfields behind it. Lieutenant *McDougal* who acted as adjutant to the detachment, came up to him, (Captain *Grant*,) and told him, that Captain *Dalyell* was killed, and Captain *Gray* very much wounded, in making a push on the enemy, and forcing them out of a strong breastwork of cordwood, and an entrenchment which they had taken possession of; and that the command then devolved upon him. Lieutenant *Bean* immediately came up, and told him, that Captain *Rogers* had desired him to tell Captain *Grant*, that he had taken possession of a house, and that he had better retire with what numbers he had, as he (Captain *Rogers*) could not get off without the boats to cover him, he being hard pushed by the enemy from the enclosures behind him, some of which scoured the road through which he must retire. Captain *Grant* then sent Ensign *Pauli*, with twenty men, back to attack a part of the enemy which annoyed his own post a little, and galled those that were joining him, from the place where Captain *Dalyell* was killed, and Captain *Gray*, Lieutenants *Brown* and *Luke*, were wounded; which Ensign *Pauli* did, and killed some of the enemy in their flight. Captain *Grant*, at the same time, detached all the men he could get, and took possession of the enclosures, barns, fences, &c. leading from his own post to the fort, which posts he reinforced with the officers and men, as they came up. Thinking the retreat then secured, he sent back to Captain *Rogers*, desiring he would come off; that the retreat was quite secured, and the different parties ordered to cover one another successively, until the whole had joined; but Captain *Rogers* not finding it right to risk the loss of more men, he chose to wait for the armed boats, one of which appeared soon, commanded by Lieutenant *Brehm*, whom Captain *Grant* had directed to go and cover Captain *Rogers's* retreat, who was in the next house. Lieutenant *Brehm* accordingly went and fired several shots at the enemy. Lieutenant *Abbott*, with the other boat, wanting ammunition, went down with Captain *Gray*. Lieutenant *Brown* and some wounded men returned also, which Captain *Grant* supposes the enemy seeing

did not wait her arrival, but retired on Lieutenant *Brehm's* firing, and gave Captain *Rogers*, with the rear, an opportunity to come off; so that the whole from the different posts joined without any confusion, and marched to the fort in good order, covered by the armed boats on the water side, and by our own parties on the country side, in view of the enemy, who had all joined, and were much stronger than at the beginning of the affair, as was afterwards told us by some prisoners that made their escape; many having joined them from the other side of the river and other places. The whole arrived at the fort about eight o'clock, commanded by Captain *Grant*, whose able and skilful retreat is highly commended.

"Return of killed and wounded of the several detachments near the Detroit, July 31, 1763.—Of the 55th Regiment: one sergeant, thirteen rank and file, killed; one captain, two lieutenants, one drummer, twenty-eight rank and file, wounded. Of the Royal Americans: one rank and file killed; one rank and file wounded.—Of the 80th Regiment: two rank and file killed; three rank and file wounded.—Of the Queen's Rangers: two rank and file killed; one rank and file wounded.

"Names of the officers:—55th Regiment: Captain *Gray*, Lieutenant *Luke*, and Lieutenant *Brown*, wounded.

"N. B. Captain *Dalyell*, killed, not included in the above."\*

Soon after this engagement, parties of the Pottawattamie and Huron tribes gave up their prisoners, and expressed a desire for peace. Other bands of Indians who had been engaged in the siege, retired disheartened to their villages and hunting grounds; but the uncompromising hostility of Pontiac kept the English garrison at Detroit in a state of suspense until the spring of 1764.

During the months of June and July, 1763, Fort Pitt was closely besieged by different war parties, consisting, generally, of Shawanees and Delaware warriors. But Captain Ewyer† and the garrison defended themselves, until they were reinforced, early in August, by the arrival of several companies of

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\*Drake, B. V. C. iii, p. 55.

†Gordon's His. Pa. 399.—"Ecuyer."—Dodsley's An. Register, for 1763.

regular troops under the command of Colonel Bouquet. This force, on its march from Carlisle to Fort Pitt, was attacked by a large number of Indians, near a stream called Bushy Run. The assailants were defeated with a loss of about sixty warriors killed. The loss of the English was about fifty killed, and sixty wounded. On the fourth day succeeding this battle, the British troops reached Fort Pitt; and the hostile Indians immediately retreated from the neighborhood of that post: but, throughout the succeeding autumn and winter, they continued in detached parties, to wage war against the settlers on the western frontiers of the English colonies. Roused to a high degree of excitement by this destructive warfare, the British authorities determined to adopt strong measures for the punishment and subjugation of the hostile tribes. In 1764, General Bradstreet, at the head of three thousand men, was ordered to proceed against the Wyandots, Ottawas, Chippewas, and other Indian nations living near the borders of the lakes Erie, Huron, and Michigan. About the same time, another strong force, under the command of Colonel Bouquet, was ordered to march against the Delawares, Shawanees, and other hostile tribes who inhabited the country lying between the lakes and the river. In addition to these measures, the Governor of Pennsylvania, by a proclamation of the 7th of July, 1764,\* offered bounties for the scalps or the capture of hostile Indians. The bounties were—

For every male above ten years, captured,	- - -	\$150 00
For every male above ten years, scalped, being killed,		134 00
For every female or male under ten years, captured,		130 00
For every female above ten years, scalped, being killed,		50 00

While General Bradstreet was on his way from Niagara to Detroit, he was met by delegates who bore overtures of peace from many of the northwestern tribes; and soon after his arrival at Detroit, which post he reached without opposition, all the tribes about that region concluded treaties of peace with the English. The chief Pontiac, however, took no part in the pacific negotiations. Having been deceived by the French,

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\*Gordon's History of Pennsylvania, 438.

overpowered by the English, and deserted by the Indians, he retired to the Illinois country, where he was assassinated, in the year 1767.\*

On the 3d day of October, 1764, the forces under Colonel Bouquet, consisting of fifteen hundred men, moved from Fort Pitt, and, on the 25th of the same month, reached the forks of the Muskingum river, where they encamped. At this point, Colonel Bouquet held conferences with the Delawares, Shawanees, and bands of some other tribes. The Indians, who were in an impoverished and feeble state, gave pledges for their good behavior until peace should be fully concluded with Sir William Johnson, the British Superintendent of Indian Affairs. They also gave up two hundred and six prisoners, men, women and children. The English forces then returned to Fort Pitt, and a cessation of hostilities was proclaimed on the 5th of December.† From this period until the year 1774, the Indians who occupied the country about the borders of the river Ohio, waged no war against the British colonies; although, in the meantime, many English colonists, disregarding the proclamation of the king, the provisions of treaties, the remonstrances of the Indians, and the prohibitory proclamations of the governors of Pennsylvania and Virginia, continued to harass the Indians, by making settlements upon their lands, and by killing a considerable number of their men, women, and children.‡

On the 30th of December, 1764, General Gage, commander-in-chief of the British forces in North America, having received advices of the pacific disposition of the northwestern Indians issued the following proclamation, affecting the French inhabitants of the Illinois country.

“By his Excellency Thomas Gage, Major General of the King’s Armies, Colonel of the 22d Regiment, General commanding in chief all the forces of his Majesty in North America, &c. &c. &c.

“Whereas, by the peace concluded at Paris, on the 10th of February, 1763, the country of the Illinois has been ceded to

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\*Carver’s Travels, 104.

†Gordon, 437.

‡Jefferson’s Notes on Virginia, 312.—Gordon’s His. Pennsylvania, 447.

his Britannic Majesty, and the taking possession of the said country of the Illinois, by the troops of his Majesty, though delayed, has been determined upon, we have found it good to make known to the inhabitants:—

That his Majesty grants to the inhabitants of the Illinois the liberty of the Catholic religion, as it has already been granted to his subjects in Canada: he has consequently given the most precise and effective orders, to the end, that his new Roman Catholic subjects of the Illinois may exercise the worship of their religion according to the rites of the Roman church, in the same manner as in Canada:

That his Majesty, moreover, agrees, that the French inhabitants, or others, who have been subjects of the most Christian King, may retire, in full safety and freedom, wherever they please, even to New Orleans, or any other part of Louisiana, although it should happen that the Spaniards take possession of it in the name of his Catholic Majesty; and they may sell their estates, provided it be to subjects of his Majesty, and transport their effects, as well as their persons, without restraint upon their emigration, under any pretence whatever, except in consequence of debts or of criminal process:

That those who choose to retain their lands and become subjects of his Majesty, shall enjoy the same rights and privileges, the same security for their persons and effects, and liberty of trade, as the old subjects of the king:

That they are commanded, by these presents, to take the oath of fidelity and obedience to his Majesty, in presence of *Sieur Sterling*, captain of the Highland Regiment, the bearer hereof, and furnished with our full powers for this purpose:

That we recommend forcibly to the inhabitants, to conduct themselves like good and faithful subjects, avoiding by a wise and prudent demeanor, all cause of complaint against them:

That they act in concert with his Majesty's officers, so that his troops may take peaceable possession of all the posts, and order be kept in the country; by this means alone they will spare his Majesty the necessity of recurring to force of arms, and will find themselves saved from the scourge of a bloody

war, and of all the evils which the march of an army into their country would draw after it.

We direct that these presents be read, published, and posted up in the usual places.

Done and given at Head Quarters, New York. Signed with our hand, sealed with our seal at arms, and countersigned by our Secretary, this 30th December, 1764.

THOMAS GAGE, [L. S.]

By His Excellency,

G. MATURIN.

In the month of July, 1765, M. de St. Ange, who was at that time the French commandant in the Illinois, evacuated Fort Chartres, and proceeded with a small force to St. Louis, a settlement which had been founded early in 1764, on the western bank of the Mississippi. A detachment of English troops then took possession of the evacuated fort, and the British commandant in the Illinois country established his headquarters at that place. Of the French population, while some took the oath of fidelity and obedience to the government of Great Britain, and continued to occupy their ancient possessions in and about the villages of Kaskaskia, Cahokia, and Prairie du Rocher, others removed to the territories on the western side of the river Mississippi, where the authority of France was still in force, although the country had been ceded to Spain.

Fort Chartres which was rebuilt in 1756, was in shape an irregular quadrangle, with four bastions. The sides of the exterior polygon were about four hundred and ninety feet in extent.\* The walls, which were of stone and plastered over, were two feet two inches thick, and fifteen feet high, with loop-holes at regular distances, and two port-holes for cannon in each face, and two in the flanks of each bastion. There were two sally-ports; and within the wall was a banquette raised three feet for the men to stand upon, when they fired through the loop-holes. The buildings within the fort were the commandant's and the commissary's houses, the magazine

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\*Hall.

of stores, the guard house, and two lines of barracks. Within the gorge of one of the bastions was a prison with four dungeons. In the gorges of the other three bastions were the powder magazine, the bake-house, and some smaller buildings. The commandant's house was ninety-six feet long and thirty feet deep, containing a dining room, a parlor, a bed-chamber, a kitchen, five closets, for servants, and a cellar. The commissary's house was built in a line with this edifice, and its proportions and distribution of apartments were the same. Opposite these were the store-house and guard-house, each ninety feet long by twenty-four feet deep. The former contained two large store rooms, with vaulted cellars under the whole, a large room, a bed-chamber, and a closet for the keeper. The guard-house contained soldiers' and officers' guard rooms, a chapel, a bed-chamber, and a closet for the chaplain; and an artillery store room. The lines of the barracks, two in number, were never completely finished. They consisted of two rooms in each line for officers, and three for soldiers. The rooms were twenty-two feet square, with passages between them. All the buildings were of solid masonry. The ruins of this fort may still be seen, on the eastern bank of the Mississippi, about twenty-five miles above the mouth of the river Kaskaskia, in the state of Illinois.\*

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\*In the writings of James Hall, who visited the site of Fort Chartres about the year 1832, there is an interesting account of these ruins. "Although," says Hall, "the spot was familiar to my companion, it was with some difficulty that we found the ruins, which are now covered and surrounded with a young but vigorous and gigantic growth of forest trees, and with a dense undergrowth of bushes and vines, through which we forced our way with considerable labor. Even the crumbling pile itself is thus overgrown; the tall trees rearing their stems from piles of stones, and the vines creeping over the tottering walls. The buildings were all razed to the ground, but the lines of the foundations could be easily traced. A large vaulted powder magazine remained in good preservation. The exterior wall, the most interesting vestige, as it gave the general outline of the whole, was thrown down in some places; but in many retained something like its original height and form; and it was curious to see in the gloom of a wild forest, these remnants of the architecture of a past age. One angle of the fort and an entire bastion had been undermined and swept entirely away by the river, which, having expended its force in this direction, was again retiring, and a narrow belt of young timber had grown up between the water's edge and the ruins."

## CHAPTER V.

THE government of Great Britain having nominally extended its dominion over the vast territories lying northwest of the river Ohio, the British commandants in those regions exercised their authority, without departing in a material manner from the policy which had been pursued by their French predecessors. In 1765, the aggregate number of French families within the limits of the northwestern territory (comprising the settlements about Detroit, those near the river Wabash, and the colony in the neighborhood of Fort Chartres,) did not, probably, exceed six hundred. Of these families, about eighty or ninety resided at Post Vincennes; about fourteen were settled at Fort Ouiatenon, on the river Wabash; and at the Twightwee village, which was situated near the confluence of the St. Joseph and St. Mary rivers, there were nine or ten French houses.\* These three small colonies were, at that time, the only white settlements in all the large territory which now lies within the boundaries of the state of Indiana. At Detroit and in the neighborhood of that place, there were about three hundred and fifty French families. The remainder of the French population resided at Kaskaskia, Cahokia, Prairie du Rocher, and in the vicinity of those villages.

The colonial policy which was adopted by Great Britain, immediately after the treaty of 1763, offered to the English colonists in North America no inducements to advance their settlements into the regions on the western side of the Allegheny mountains. By a proclamation of the 7th of October, 1763, the king forbade all his subjects "from making any purchases, or settlements whatever, or taking possession of any

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\*Croghan's Journal.

of the lands, beyond the sources of any of the rivers which fall into the Atlantic ocean from the west or northwest;" and, at the suggestion of the English Board of Trade and Plantations, the British government took measures to confine the English settlements in America, "to such a distance from the sea coast as that those settlements should lie within the reach of the trade and commerce of Great Britain.\* In pursuing this policy the government rejected the propositions of various individuals who proposed to establish English colonies in the west.

In 1769, the commander-in-chief of the king's forces in North America wrote as follows to the Earl of Hillsborough, who presided over the Colonial Department: "As to increasing the settlements [northwest of the river Ohio] to respectable provinces, and to colonization in general terms in the remote countries, I conceive it altogether inconsistent with sound policy. I do not apprehend the inhabitants could have any commodities to barter for manufactures, except skins and furs, which will naturally decrease as the country increases in people, and the deserts are cultivated; so that, in the course of a few years, necessity would force them to provide manufactures of some kind for themselves, and when all connexion upheld by commerce with the mother country shall cease, it may be expected that an independency in her government will soon follow. The laying open of new tracts of fertile country in moderate climates might lessen the present supply of the commodities of America, for it is the passion of every man to be a landholder, and the people have a natural disposition to rove in search of good land, however distant." Similar to these opinions, were those of the royal Governor of Georgia, who, in a letter to the British Lords of Trade, wrote as follows: "This matter, my Lords, of granting large bodies of land in the back parts of any of his majesty's northern colonies, appears to me in a very serious and alarming light; and I humbly conceive, may be attended with the greatest and worst of consequences; for, my Lords, if a vast territory be granted to any set of gentlemen, who really mean to people it, and actu-

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\*Report of the Board of Trade and Plantations to the Lords of the Privy Council.

ally do so, it must draw and carry out a great number of people from Great Britain, and I apprehend they will soon become a kind of separate and independent people, who will set up for themselves; that they will soon have manufactures of their own; and in process of time they will become formidable enough to oppose his majesty's authority."

In the course of the year 1770, several persons, from Virginia and other British Provinces, explored and marked nearly all the valuable lands "not only on the Red Stone and other waters of the Monongahela, but along the Ohio as low as the Little Kanawha."\*

On the 20th of October, 1770, GEORGE WASHINGTON, Doct. Craik, Capt. Crawford, Joseph Nicholson, Robert Bell, William Harrison, Charles Morgan, and Daniel Rendon, embarked, at Pittsburgh, in a pirogue, and descended the river Ohio to the mouth of the Kanawha. They ascended the latter stream about fourteen miles; killed five buffaloes on the 2d of November; marked some large tracts of land above the mouth of the Kanawha; and then returned to Pittsburgh. At this time the village of Pittsburgh was composed of about twenty log houses, inhabited by Indian traders; and the garrison of Fort Pitt consisted of two companies of Rôyal Irish, commanded by Captain Edmonson.

A proclamation of General Gage, which appeared in 1772, was the first official act of the British government that disturbed the quiet of the French settlements on the river Wabash, after the peace of 1763. That proclamation was in the words following:—

"By his Excellency Thomas Gage, Lieutenant General of the King's Armies, Colonel of the 22d Regiment, General commanding in chief all the forces of his Majesty in North America, &c. &c. &c.

"Whereas many persons, contrary to the positive orders of the King upon this subject, have undertaken to make settlements beyond the boundaries fixed by the treaties made with the Indian nations, which boundaries ought to serve as a bar-

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\*Washington's Journal, of 1770.

rier between the whites and the said nations; and a great number of persons have established themselves, particularly on the river Ouabache, where they lead a wandering life, without government, and without laws, interrupting the free course of trade, destroying the game, and causing infinite disturbance in the country, which occasions a considerable injury to the affairs of the King, as well as to those of the Indians: His Majesty has been pleased to order, and by these Presents orders are given in the name of the King, to all those who have established themselves on the lands upon the Ouabache, whether at St. Vincent\* or elsewhere, to quit those countries instantly and without delay, and to retire, at their choice, into some one of the colonies of his Majesty, where they will be received and treated as the other subjects of his Majesty. Done, and given at Head Quarters, New York. Signed with our hand, sealed with our seal at arms, and countersigned by our Secretary, this 8th of April, 1772.—By order of the King.

THOMAS GAGE.

By His Excellency,

G. MATURIN, Sec.

On the 14th of September, 1772, the French inhabitants settled at Post Vincennes, despatched a letter to General Gage, in which they stated that their possessions were held by "sacred titles;" that their settlement was of "seventy years standing;" and that their "lands had been granted by order and under the protection of his most Christian Majesty" the King of France. To this letter of the inhabitants of Post Vincennes, General Gage transmitted the following answer:

"NEW YORK, April 2d, 1773.

"GENTLEMEN:—I have received your letter of the 14th of September last, with the representations annexed, which I intend to cause, in a few days, to be transported to the feet of his Majesty.

"As you claim your possession by sacred titles, insinuating that your settlement is of seventy years standing, and that the lands have been granted by order and under the protection of

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\*Vincennes.

his most Christian Majesty, it is necessary that his Majesty should be informed very particularly upon these points; and it is important to you, to give convincing proofs of all that you allege in this respect.

“To this end, I have to demand, without delay, the name of every inhabitant at Vincennes and its neighborhood, and by what title each one claims; if it is by a concession, the year of the concession must be added, as well as the name of the officer who made it, and the name of the Governor-General who approved and confirmed it with [word unintelligible and omitted, probably “the date” or “the page” or “number”] also, of the records where each concession shall have been registered. That the report which I expect may be better understood, I annex hereto a form, which I beg you to follow exactly, and to put me as early as possible in a situation to push forward your business.

I am, gentlemen,

Your most humble, and most obedient servant,

THOMAS GAGE.

Mr. de St. Marie, and the other inhabitants settled at Post Vincennes.”

About this time, while the English colonies in North America were rising in opposition to the policy of the government of Great Britain, the latter began to adopt measures to gain the attachment of the French population of Canada and the Illinois country. In the month of December, 1773, divers French inhabitants of the Province of Quebec, sent to the king a memorial, wherein they said: “The Province of Quebec, as it is now bounded, by a line passing through the forty-fifth degree of north latitude, is confined within too narrow limits. This line is only fifteen leagues distant from Montreal; and yet it is only on this side that the lands of the Province are fertile and that agriculture can be cultivated to much advantage. We desire, therefore, that as *under the French Government our colony was permitted to extend over all the upper countries known under the names of Michilimackinac, Detroit, and other adjacent places, as far as the Mississippi*, so it may now

be enlarged to the same extent. And this re-annexation of these *inland posts* to this Province is the more necessary on account of the Fur Trade which the people of this Province carry on to them: Because, *in the present state of things, as there are no Courts of Justice whose jurisdiction extends to those distant places*, those of the Factors we send to them with our Goods to trade with the Indians for their Furs, who happen to prove dishonest, continue in them, out of the reach of their creditors, and live upon the profits of the Goods entrusted to their care—which entirely ruins this colony, and turns these posts into harbors for rogues and vagabonds, whose wicked and violent conduct is often likely to give rise to wars with the Indians.”\*

On the 2d of June, 1774, the British Parliament passed an act which extended the boundaries of the Province of Quebec so as to include the territories which now lie within the limits of the states of Ohio, Indiana, Illinois, and Michigan. The act also secured to the French inhabitants the free exercise of their religion, and to the Roman Catholic clergy those rights which were agreeable to the articles of capitulation at the time of the surrender of the Province. In addition to these privileges, the same act of Parliament restored to the French inhabitants of the Province of Quebec, their ancient laws in civil cases, without a trial by jury.† The extension of the Province beyond the limits described in the proclamation of 1763, was “justified by the plea, that several French families were settled in remote parts of the country, beyond the former districts, and an entire colony was established among the Illinois Indians.”‡ The

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\*American Archives, 4th ser. i, p. 1848.

†In 1764 a Court of King’s Bench and a Court of Common Pleas were established in the Province of Canada. The Canadians were not opposed to the criminal law of England; but they objected to the course of the English law in civil trials. Their opposition to the trial by jury was remarkable; and they often said that “they thought it very extraordinary that English gentlemen should think their property safer in the determination of tailors and shoemakers, mixed with the people in trade, than in that of the judges.” A Mr. Maseres, of Canada, when under an examination before the British House of Commons, in 1774, said “that the Canadians had no clear notions of government, having never been used to any such speculations.”—[Proceedings on the Quebec bill in the British House of Commons, June. 1774.

‡Bisset, i, 375.

privileges which were granted to the Roman Catholics, the great enlargement of the boundaries of Canada, and the establishment of French laws and customs in that Province were regarded with sentiments of strong disapprobation by the English inhabitants of the British colonies in America. They viewed it as a stroke of ministerial policy, designed to secure the co-operation of the French in the subjugation of those colonists who had opposed the Stamp act, and who were at that time arrayed in opposition to other arbitrary acts of the government of Great Britain. Thus, the passage of the Quebec bill, while it secured the attachment of the French inhabitants of Canada, contributed in some degree to sever the political ties by which the English colonies in America were bound to the mother country. On the 22d of September, 1774, in a Convention which was held at Falmouth in the Province of Massachusetts, the assembly adopted a report which contained these words:—"As the very extraordinary and alarming act for establishing the Roman Catholic religion and French laws in Canada may introduce the French or Indians into our frontier towns, we recommend that every town and individual in this country should be provided with a proper stock of military stores, according to our Province law; and that some patriotic military officers be chosen in each town to exercise their several companies and make them perfect in the military art."

The French colonists of America, perceiving that the people of the English provinces were inclined to deprive them of the privileges which had been granted to them by the Quebec act, ardently supported the cause of Great Britain during the early part of the American revolutionary war. At the French settlements in the country northwest of the Ohio, Indian war parties were often supplied with arms and ammunition, and sent to assail the western frontiers of the English colonies.

Early in the year 1773, notwithstanding the remonstrances of the English traders in the west, the troops were withdrawn from Fort Pitt, by order of General Gage, and the Assembly of Pennsylvania refused to maintain a garrison at that post. Soon after this event occurred, many adventurers from Vir-

ginia, some from Maryland, and a few from North Carolina, crossed the Allegheny mountains for the purpose of surveying the lands and making settlements in the country on the southern borders of the river Ohio. The lands in the neighborhood of Fort Pitt were surveyed for the Proprietaries of Pennsylvania, in 1769, and "Magistrates were appointed to act there in the beginning of 1771."\* In 1774, Governor Dunmore, from motives which have never been satisfactorily explained, began to encourage the English colonists to take warrants from him for lands in the west; and, under the pretence that Fort Pitt was within the boundary of Virginia, he appointed magistrates to act at that place. One of these magistrates, John Conolly, who was also one of the patentees of a tract of land lying about the Falls of Ohio, collected a number of men, established a garrison at Fort Pitt, changed the name of that post to Fort Dunmore, and sent out small parties for the purpose of building forts lower down the river Ohio.

In the latter part of April, 1774, a number of people being engaged in looking out for settlements on the Ohio, information was spread among them, that the Indians had robbed some of the *land-jobbers*, as those adventurers were called. Alarmed for their safety they collected together at Wheeling creek. Hearing there that there were two Indians and some traders at a place not far above Wheeling, Michael Cresap, one of the party, proposed to way-lay and kill them. The proposition, though opposed,† was adopted. A party went up the river, with Cresap at their head, and killed the two Indians. The same afternoon it was reported that there was a party of Indians on the Ohio, a few miles below Wheeling. Cresap and his party immediately proceeded down the river, and encamped on the banks. The Indians passed him peaceably, and encamped, below him, at the mouth of Grave-creek. Cresap

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\*Letter from Gov. Penn to Lord Dunmore, 31st March, 1774.

† "On our arrival at the Wheeling, being informed that there were two Indians with some traders near and above Wheeling, a proposition was made by the then Captain Michael Cresap to way-lay and kill the Indians upon the river. This measure I opposed with much violence, alleging that the killing of these Indians might involve the country in a war."—[Letter of Col. Ebenezer Zane.

and his party attacked them and killed several. The Indians returned the fire, and wounded one of Cresap's party."\*— Among the slain of the Indians were some of the family of the Cayuga Chief Logan, who had distinguished himself as the friend of white men. A few days after these murders were perpetrated, a party of thirty-two men, under one Daniel Greathouse, massacred twelve or thirteen Indians at a place near "Baker's Bottom," on the Ohio, about forty miles above Wheeling. This massacre was effected by means of a very dishonorable stratagem. A party of Indians, on their way down the Ohio, heard of the murders near Wheeling, and fearing to proceed, they encamped at the mouth of Big Yellow creek, opposite the house of one Joshua Baker, who had settled on a tract of land which was called Baker's Bottom. The party under Greathouse lay in ambush, while their leader crossed the river to the camp of the Indians, and under the mask of friendship counted their numbers, and found them too strong for an open attack with his force. While he was at the camp, he was cautioned by one of the Indian women to go home, because the Indian men were drinking, and angry on account of the murder of their relations. On leaving the camp, Greathouse invited the Indians to go over to the house of Baker, and drink. He then re-crossed the river, and requested Baker to give any of the Indians who might come over, as much rum as they might call for, "*and get as many of them drunk as he possibly could.*"† Several Indians, among whom were two women and a little girl, crossed the river, and went to the house of Baker, where the men soon became intoxicated. Greathouse and his party then fell upon the drunken Indians, and slaughtered the men and women. The little Indian girl alone was spared. The party of Indians on the other side of the river, on hearing the report of guns, sent a canoe with two men in it to enquire what had happened. As soon as these two men landed on the beach, they were killed by the whites. A number of armed Indians, in another canoe, attempted to reach the shore some

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\*Jefferson's Notes on Virginia, 332.

†Doddridge's Notes, 227.—Jefferson's Notes, 334.

distance below Baker's house; but they were met by a fire from the party under Greathouse, which killed some, wounded others, and obliged the rest to retreat.

The English settlers on the borders of the Ohio, knowing that the Indians, in consequence of these murders, would make war upon them, either moved away from the frontiers or prepared to defend themselves by building forts and block-houses. As soon as information of these events reached the seat of government of Pennsylvania, the authorities of that Province despatched messengers to assure the Indians that the acts of the white men who were commanded by Cresap and Greathouse, were not sanctioned by the people of Pennsylvania. Believing these assurances, the Indians, in detached parties composed of Mingoes, Delawares, and Shawanees, began to make war upon the settlers along the whole extent of the western frontiers of Virginia. To protect the western settlements, and to punish the hostile Indians, the government of that Province soon gave orders to raise an army of three thousand men. The southern division of this army, under the command of Colonel Andrew Lewis, was ordered to march through the Greenbriar country, to the mouth of the Great Kanawha river. The other division, under the command of Governor Dunmore, was to rendezvous at Fort Pitt, and from that point, descend the river Ohio, to form a junction with Colonel Lewis, at the mouth of the Kanawha.

On the 20th of June, 1774, Governor Dunmore, who was then at Williamsburgh, the seat of government in Virginia, wrote as follows, to John Conolly, one of the Virginia magistrates at Fort Pitt: "I hope you will prevail on the Delawares and the well affected part of the Mingoes to move off from the Shawanees. It is highly necessary that you continue at Fort Dunmore, [Fort Pitt,] and I think, therefore, that you could not do better than to send Captain William Crawford with what men you can spare to join him, and to co-operate with Colonel Lewis, or to strike a stroke himself, if he thinks he can do it with safety. \* \* \* I would recommend it to all officers going out on parties *to make as many prisoners as they can of*

*women and children; and should you be so fortunate as to reduce those savages to sue for peace, I would not grant it to them on any terms till they were effectually chastised; and then on no terms without bringing in six of their heads as hostages for their good behavior, and these to be relieved annually; and that they trade with us only for what they may want."*

In the latter part of July, 1774, while Governor Dunmore and Colonel Lewis were raising troops for the main expedition, about four hundred men, under the command of Major Angus McDonald, crossed the Ohio at the mouth of *Fish creek*, below Wheeling, and marched into the Indian country to destroy the Shawanees villages on the Muskingum, near Wappatomica.\* On arriving at a point within six or seven miles of the first village, the force under McDonald was met by a small party of Indians, and in the course of some skirmishes, which slightly interrupted the march of the troops, six Indians were killed, and several wounded. In the mean time the Indian women and children evacuated the villages and sought refuge in the woods. The party under Major McDonald arrived at the first village. "We set fire to the town," says an actor in these proceedings, "and destroyed every thing of value. \* \* \* From this town we proceeded to the rest, five in number, all of which we burnt, together with about five hundred bushels of old corn, and every other thing they had. We also cut down and destroyed about seventy acres of standing corn. No Indians appearing and provisions falling short, we returned to Wheeling."†

Early in the month of September, about eleven hundred men, under the command of Colonel Andrew Lewis, commenced their march from camp Union, distant about one hundred and sixty miles from the mouth of the Great Kanawha. Passing through the Greenbriar country, and down the valley of the Great Kanawha, these troops, about the 5th of October, 1774, reached the point of land formed by the confluence of the Ohio and Great Kanawha rivers. On this point the army

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\*About sixteen miles below the town of Coshocton, Ohio.

†American Archives, 4th series, i, 722.

encamped, in two lines, to await the arrival of the forces under Governor Dunmore. Scouts and hunters were daily sent out from the encampment; but no Indians were discovered until the morning of the 10th of October. On that morning, "by break of day," two soldiers left the camp and started up the river Ohio, for the purpose of killing game. After walking about a mile and a half, they discovered a large body of Indians who were apparently making preparations to march against the encampment of Colonel Lewis. The Indians fired on the two hunters, and killed one of them: the other ran back to the camp of the Virginians, and, being considerably frightened, reported that he had seen "a body of the enemy covering five acres of ground, as closely as they could stand."\* Colonel Andrew Lewis immediately ordered two detachments, each of about one hundred and fifty men, to advance against the Indians. These detachments, led by Colonel William Fleming, and Colonel Charles Lewis, marched out in two lines, and met the Indians in the same order, about four hundred yards from the camp. The battle commenced about sunrise; and at the onset the heavy fire of the Indians forced the detachments under Lewis and Fleming to fall back until they were reinforced by a detachment of two hundred men under Major John Field. The Indians then retreated a little way, and taking positions behind trees and logs, extended their line of attack almost from the bank of the Ohio to that of the Kanawha. The Virginia forces immediately extended their line of battle, and, adopting the Indian mode of warfare, fought under the cover of trees. The conflict was then fiercely maintained, until about one o'clock, when it began to abate; but the belligerent forces, each party watching the other,† continued to fire occasional shots, until the Indians, at the approach of night, left the field. On that evening Colonel Christian reached the scene of action with a reinforcement of three hundred troops from Fincastle, Virginia; and in the course of the night the Indians retreated across the river Ohio.

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\*Proceedings of the Historical Society of Virginia.

† "There we remained watching the Indians, and they us, till near night; now and then firing as opportunity offered on either side." [Letter from an officer in the engagement,

In this engagement, the Indians (whose force amounted to eight or nine hundred men) were led, principally, by *Cornstalk*, a Shawanee; *Red Hawk*, a Delaware; *Logan*, a Cayuga, and *Elenipsico*, a son of Cornstalk. While the battle raged hotly, the Virginians often heard the voice of Cornstalk, the Shawanee, crying in loud tones to the Indians "*Be strong! be strong!*"

On the morning of the 11th, twenty-one Indians were found dead, on the battle field: the bodies of twelve more were afterwards found in places where they had been concealed; and it is probable that a considerable number of dead bodies were thrown into the rivers, during the engagement. The loss of the Virginians was seventy-five killed; and one hundred and forty wounded. Among the killed were Colonel Charles Lewis and Major Field.

Soon after the return of the expedition under Major Angus McDonald, Governor Dunmore with about one thousand men, descended the Ohio, from Fort Pitt to the mouth of the Hockhocking. Here he built a small fortification, which he named Fort Gower, in honor of Earl Gower. From this point he resolved to march across the country to the Shawanee towns on the river Scioto. Some time before the battle was fought at the mouth of the Great Kanawha, he sent despatches to Colonel Andrew Lewis, to inform that officer of the change in the plan of operations. These despatches were received before the 10th of October.

On the 17th of October, Colonel Lewis, leaving at his encampment a detachment of three hundred men to take care of the sick and wounded, crossed the Ohio with the remainder of the Virginia troops, and marched on his way to join Dunmore. In the mean time the Governor had penetrated the Indian country, and halted his army at Camp Charlotte, about eight miles from a Shawanee village which stood on the banks of the river Scioto. Before the army reached this point, the remonstrances of the Governor of Pennsylvania, the intercession of the powerful Six Nations in behalf of the Shawanees, and the intimations of the Earl of Dartmouth, induced Governor Dunmore to change his policy in regard to the hostile

Indians. He determined to conclude a peace with them. On the 24th of October, Colonel Lewis, by an express from Dunmore, received an order to withdraw with his forces from the Indian country on the northwestern side of the Ohio. This command was not obeyed until Dunmore himself visited the camp of Colonel Lewis, "was introduced to his officers, and gave the order in person."\* The army under Lewis then reluctantly retired. Governor Dunmore returned to Camp Charlotte, and opened a treaty of peace with the Shawanees and their confederates. The Indians agreed to give up their prisoners, to restore the horses which had been taken from the whites, and to abandon the lands on the southeastern side of the river Ohio.† They gave hostages to Dunmore to secure the performance of these stipulations; and promised to meet him at Fort Pitt in the spring of the next year [1775,] for the purpose of concluding a definitive treaty of peace and friendship with the Virginians.‡

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\*Doddridge, 233.

† "The Indians have delivered up all the white prisoners in their towns, with the horses and other plunder they took from the inhabitants; and even offered to give up their own horses. They have agreed to abandon the lands on this [southeastern] side of the Ohio, which river is to be the boundary between them and the white people."—[Am. Arch. 4th series, i, 1014.

‡ A deposition which was made at Pittsburgh, on the 4th of April, 1800, by John Gibson, Esq. who was the first Secretary of the Indiana Territory, contains the following statements:—"This deponent further saith that in the year 1774, he accompanied Lord Dunmore on the expedition against the Shawanees and other Indians on the Scioto; that on their arrival within fifteen miles of the towns, they were met by a flag, and a white man of the name of Elliott, who informed Lord Dunmore that the chiefs of the Shawanees had sent to request his Lordship to halt his army, and send in some person who understood their language; that this deponent, at the request of Lord Dunmore and the whole of the officers with him, went in; that on his arrival at the towns, LOGAN, the Indian, came to where this deponent was sitting with Cornstalk and the other chiefs of the Shawanees, and asked him to walk out with him; that they went into a copse of wood, where they sat down, when Logan, after shedding abundance of tears, delivered to him the speech nearly as related by Mr. Jefferson in his Notes on the state of Virginia." The following is the speech of the chief Logan, as it appears in Jefferson's Notes, p. 91.

"I appeal to any white man to say, if he ever entered Logan's cabin hungry, and he gave him not meat; if he ever came cold and naked, and he clothed him not. During the course of the last long and bloody war Logan remained idle in his cabin, an advocate for peace. Such was my love for the whites, that my countrymen pointed as they passed, and said 'Logan is the friend of white men.' I had even thought to have lived with you, but for the injuries of one man. Colonel Cresap, the last spring, in cold blood and unprovoked,

At Fort Gower, on the 5th of November, the officers of Dunmore's army held a meeting, at a which one of them spoke as follows: "Gentlemen: Having now concluded the campaign by the assistance of Providence, with honor and advantage to the colony and ourselves, it only remains that we should give our country the strongest assurance that we are ready at all times to the utmost of our power to maintain and defend her just rights and privileges. We have lived about three months in the woods, without any intelligence from Boston or from the delegates at Philadelphia.\* It is possible, from the groundless reports of designing men, that our countrymen may be jealous of the use such a body would make of arms in their hands at this critical juncture. That we are a respectable body is certain, when it is considered that we can live weeks without bread or salt, that we can sleep in the open air without any covering but that of the canopy of Heaven, and that our men can march and shoot with any in the known world. Blessed with these talents let us solemnly engage to one another, and our country in particular, that we will use them to no purpose but for the honor and advantage of America in general, and of Virginia in particular. It behooves us, then, for the satisfaction of our country, that we should give them our real sentiments, by way of Resolves, at this very alarming crisis." The following resolutions were then adopted by the meeting, without a dissenting voice, and ordered to be published in the Virginia Gazette.

*"Resolved,* That we will bear the most faithful allegiance to his Majesty King George the Third, while his Majesty delights to reign over a brave and free people; that we will, at the expense of life and every thing dear and valuable, exert ourselves in support of the honor of his Crown and the dignity of the

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murdered all the relations of Logan, not even sparing my women and children. There runs not a drop of my blood in the veins of any living creature. This called on me for revenge. I have sought it: I have killed many: I have fully glutted my vengeance; for my country I rejoice at the beams of peace. But do not harbor a thought that mine is the joy of fear. Logan never felt fear. He will not turn on his heel to save his life. Who is there to mourn for Logan? Not one."

\*The Continental Congress, which convened on the 5th September, 1774.

British Empire. But as the love of liberty, and attachments to the real interests and just rights of America, outweigh every other consideration, we resolve that we will exert every power within us for the defence of American liberty, and for the supporting of her just rights and privileges; not in any precipitate, riotous, and tumultuous manner; but when regularly called forth by the unanimous voice of our countrymen.

*“Resolved, That we entertain the greatest respect for His Excellency the Right Honourable Lord Dunmore, who commanded the expedition against the Shawanees, and who, we are confident, underwent the great fatigue of this singular campaign from no other motive than the true interest of this country.”*

Thus closed the expedition of John Murray, Earl of Dunmore, the last British governor of the province of Virginia. He arrived at Williamsburgh, in that province, on the 4th of December, 1774; but he never returned to the valley of the Ohio, to conclude a treaty of peace and friendship with the Indians.

In the course of the years 1775 and 1776, by means of the operations of Land Companies,\* and the perseverance of individual adventurers, several hundred settlers were added to the white population of the country lying between the Allegheny mountains and the river Ohio. In the mean time the English colonies in North America, acting wisely and justly in this instance, renounced their allegiance to Great Britain, and declared that they were, “and of right ought to be, free and inde-

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\*On the 17th of March, 1775, Col. Richard Henderson and company, at a public council held on a branch of the river Holston, obtained from three distinguished Cherokee chiefs a deed for the territory bounded as follows: “Beginning on the Ohio river at the mouth of Kentucky, Chenoca, or what, by the English, is called Louisa river; from thence, running up the said river and the most northwardly branch of the same, to the head spring thereof; thence, a southeast course to the top ridge of Powel’s mountain; thence westwardly along the ridge of the said mountain unto a point from which a northwest course will hit or strike the head spring of the most southwardly branch of Cumberland river; thence down the said river, including all its waters to the Ohio river; thence up the said river as it meanders to the beginning, &c.” For this territory it appears that the Cherokee Indians received from Henderson and company “the sum of ten thousand pounds of lawful money of Great Britain,” or “ten thousand pounds sterling in merchandise.”—[Vide Butler’s His. Kentucky, 2d ed. 14, 503.]

pendent states." By the authority of the Continental Congress, commissioners were appointed to reside at Fort Pitt for the purpose of making treaties with the Indians in that region: and messengers were sent with pacific overtures from the new government to the southern and the northwestern tribes. To defeat the object of this policy, the British commandants and the loyal British traders in the country northwest of the Ohio, encouraged and supported by a considerable number of French auxiliaries, incited the Indians to assail the frontiers of the confederated states. From the speeches of two distinguished Delaware chiefs, *Buckongahelas* and *White Eyes*, an inference may be drawn concerning the nature of the appeals which, about this time, were made to the Indians. Buckongahelas, who was the friend of the king of Great Britain, spoke to the Indians thus: "Friends! Listen to what I say to you! You see a great and powerful nation divided! You see the father fighting against the son, and the son against the father! The father has called on his Indian children, to assist him in punishing his children, the Americans, who have become refractory. I took time to consider what I should do; whether or not I should receive the hatchet of my father, to assist him. At first I looked upon it as a family quarrel, in which I was not interested. However, at length, it appeared to me that the father was in the right; and his children deserved to be punished a little. That this must be the case, I concluded from the many cruel acts his offspring had committed from time to time on his Indian children, in encroaching on their land, stealing their property, shooting at, and murdering, without cause, men, women, and children. Yes! even murdering those, who at all times had been friendly to them, and were placed for protection under the roof of their father's house—the father himself standing sentry at the door at the time.\* Friends! often has the father been obliged to settle, and make amends for the wrongs and mischiefs done to us by his refractory children; yet these do not grow better. No: they remain the same; and will continue to be so, as long as we have any land left us. Look back

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\*Alluding to the murder of the Conestoga Indians.—See Gordon's His. Pa. 405.

at the murders committed by the Long-knives on many of our relations, who lived peaceable neighbors to them on the Ohio. Did they not kill them without the least provocation? Are they, do you think, better now than they were then?"\*

At this period a Delaware chief whose Indian name was Koguethagechton, but who was called, by the Americans, *Captain White Eyes*, lived in the valley of the river Muskingum. In the course of his efforts to explain the causes which produced the Revolutionary war, and to establish relations of friendship between his tribe and the United States, he sometimes addressed the Delawares, in substance, as follows:—"Suppose a father had a little son whom he loved and indulged while young, but growing up to be a youth, began to think of having some help from him; and making up a small pack, bade him carry it for him. The boy cheerfully takes the pack, following his father with it. The father, finding the boy willing and obedient, continues in his way; and as the boy grows stronger, so the father makes the pack in proportion larger: yet as long as the boy is able to carry the pack, he does so without grumbling. At length, however, the boy, having arrived at manhood, while the father is making up the pack for him, in comes a person of an evil disposition, and learning who was the carrier of the pack, advises the father to make it heavier, for surely the son is able to carry a large pack. The father listening rather to the bad adviser, than consulting his own judgment and the feelings of tenderness, follows the advice of the hard-hearted adviser, and makes up a heavy load for his son to carry. The son, now grown up, examining the weight of the load he is to carry, addresses the parent in these words: 'Dear father, this pack is too heavy for me to carry; do pray lighten it: I am willing to do what I can; but I am unable to carry *this* load.' The father's heart having by this time become hardened, and the bad adviser calling to him, 'whip him, if he disobeys and refuses to carry the pack,' now in a peremptory tone, orders his son to take up the pack and carry it off, or he will whip him, and already takes up a stick to beat him.

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\*Heckewelder.

‘So!’ says the son, ‘am I to be served thus, for not doing what I am unable to do! Well, if entreaties avail nothing with you, father—and it is to be decided by blows whether or not I am able to carry a pack so heavy—then I have no other choice left me, but that of resisting your unreasonable demand, by my strength; and so, striking each other, we may see who is the strongest.’”\*

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\*Heckewelder.—[The speeches which were delivered by Buckongahelas and others, in favor of the king of Great Britain, were prepared by officers in the British Indian department; and the reported speech of Captain White Eyes, in favor of the American colonies, was prepared by a committee of the Continental Congress, adopted by that body on the 13th of July, 1775, and delivered to an assemblage of Indians at Pittsburgh, in the fall of the same year.—Vide Am. Archives, 4th series, ii, p. 1330.]

## CHAPTER VI.

THE events which have been related in the preceding chapter, show that, before the close of the year 1774, the government of Great Britain abandoned the project of confining the settlements of the English colonists in America to the regions lying on the eastern side of the Allegheny mountains. Indeed, the British ministry, soon after the year 1765, began to perceive that this project was impracticable. Although they rejected various propositions for erecting new colonies in the interior parts of North America, yet this policy did not materially check the growth of the English settlements in the west. In 1769, Lieutenant-Colonel John Wilkins,\* British commandant at Fort Chartres, in the Illinois country, granted several large tracts of land to English traders. This officer declared that these grants were made, because "the cultivation of lands not then appropriated, was essentially necessary and useful towards the better peopling and settlement of the said country, as well as highly advantageous to his Majesty's service, in the raising, producing, and supplying, provisions for his Majesty's troops, then stationed, or thereafter to be stationed, in the said country of the Illinois."†

On the 5th of July, 1773, at a public council held at the village of Kaskaskia, an association of English traders and merchants, who styled themselves "the Illinois Land Company," obtained from ten chiefs, of the Kaskaskia, Cahokia, and Peoria tribes, a deed for two very large tracts of land on

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\*This officer signed his name and title thus: — "John Wilkins, Esquire. Lieutenant-Colonel of his Majesty's Eighteenth or Royal Regiment of Ireland, Governor and Commandant throughout the Illinois country."

†Laws of the U. S. i, 509.

the east side of the river Mississippi. The first tract was bounded thus: "Beginning at the mouth of the Heron creek, called by the French the river of Mary, being about a league below the mouth of the Kaskaskias river; thence a northward of east course, in a direct line back to the Hilly Plains, eight leagues, or thereabouts, be the same more or less; thence, the same course, in a direct line to the Crab-tree Plains, seventeen leagues, or thereabouts, be the same more or less; thence, the same course, in a direct line to a remarkable place, known by the name of the Big Buffalo Hoofs, seventeen leagues, or thereabouts, be the same more or less; thence, the same course, in a direct line to the Salt Lick creek, about seven leagues, be the same more or less; thence, crossing the said creek, about one league below the ancient Shawanees town, in an easterly or a little to the north of east course, in a direct line to the river Ohio, about four leagues, be the same more or less; then down the Ohio, by the several courses thereof, until it empties itself into the Mississippi, about thirty-five leagues, be the same more or less; and then up the Mississippi, by the several courses thereof, to the place of beginning, thirty-three leagues, or thereabouts, be the same more or less." The second tract was bounded as follows: "Beginning at a place or point in a direct line opposite to the mouth of the Missouri river; thence up the Mississippi, by the several courses thereof, to the mouth of the Illinois river, about six leagues, be the same more or less; and then up the Illinois river, by the several courses thereof, to Chicagou or Garlick creek, about ninety leagues or thereabouts, be the same more or less; then nearly a northerly course, in a direct line, to a certain place remarkable, being the ground on which an engagement or battle was fought, about forty or fifty years ago, between the Pewaria and Renard Indians, about fifty leagues, be the same more or less; thence, by the same course, in a direct line, to two remarkable hills close together, in the middle of a large prairie or plain, about fourteen leagues, be the same more or less; thence, a north of east course, in a direct line, to a remarkable spring, known by the Indians by the name of Foggy spring, about fourteen leagues, be the same

more or less; thence, the same course, in a direct line, to a great mountain to the northward of the White Buffalo Plain, about fifteen leagues, be the same more or less; thence, nearly a southwest course, in a direct line, to the place of beginning, about forty leagues, be the same more or less." The purchase of these territories was made for the Illinois Land Company,\* by a certain William Murray, who was then a trader in the Illinois country; and from the deed of conveyance it appears that the price which the Indians by agreement received was, two hundred and fifty blankets, two hundred and sixty strouds, three hundred and fifty shirts, one hundred and fifty pairs of stroud and half thick stockings, one hundred and fifty stroud breech-clothes, five hundred pounds of gunpowder, four thousand pounds of lead, one gross of knives, thirty pounds of vermillion, two thousand gun flints, two hundred pounds of brass kettles, two hundred pounds of tobacco, three dozen gilt looking glasses, one gross gun worms, two gross awls, one gross of fire steels, sixteen dozen of gartering, ten thousand pounds of flour, five hundred bushels of Indian corn, twelve horses, twelve horned cattle, twenty bushels of salt, twenty guns, and five shillings in money.† The Indian deed was attested by ten persons, and recorded, on the 2d of September, 1773, in the office of a notary public at Kaskaskia.

By a proclamation of the 21st of March, 1775, Governor Dunmore ordered, that all the vacant land of his Majesty within the colony of Virginia, "*be surveyed in districts and laid out in lots of from one hundred to one thousand acres,*" and "*put up to public sale.*"

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\*The names of the members of this association were, William Murray, Moses Franks, and Jacob Franks, of the city of London, Esquires; David Franks, John Inglis, Bernard Gratz, Michael Gratz, Alexander Ross, David Sproat, and James Milligan, all of the city of Philadelphia, in the province of Pennsylvania, merchants; Moses Franks of the same city, Attorney at Law; Andrew Hamilton and William Hamilton, of the same city, gentlemen; Edmund Milne, of the same city, goldsmith and jeweller; Joseph Simons and Levi Andrew Levi, merchants of the town of Lancaster, in the province of Pennsylvania; Thomas Minshall, esquire, of York county, Pennsylvania; Robert Callender and William Thompson, esquires, of Cumberland county, Pennsylvania; John Campbell, merchant, of Pittsburgh, Westmoreland county, Pennsylvania; and George Castles and James Rumsey, merchants, of the Illinois country.

†Laws U. S. i, 500.

In the year 1775, after the expedition of Lord Dunmore against the Shawanees, Louis Viviat, a merchant of the Illinois country, commenced a negotiation with the Piankeshaw Indians for the purchase of two large districts of country lying upon the borders of the river Wabash. Viviat acted as the agent of an association of individuals which was denominated the "Wabash Land Company;" and, at Post Vincennes, on the 18th day of October, 1775, he obtained from eleven Piankeshaw chiefs, a deed, of which a copy is here inserted:

"To all people to whom these Presents shall come:—Know ye, that we, Tabac, or Tobacco, Montour, La Grand Couette, Ouaouaijao, Tabac, junior, La Mouche Noire, or the Black Fly, Le Maringouin, or Musquito, Le Petit Castor, or the Little Beaver, Kiesquibichias, Grelot, senior, and Grelot, junior, chiefs and sachems of the several tribes of the Piankeshaw nation of Indians, and being, and effectually representing, all the several tribes of the Piankeshaw Indians, send greeting:

Whereas Louis Viviat, of the Illinois country, merchant, one of the grantees hereinafter named, as well for himself as on the parts and behalfs of the several other grantees herein also after named, did, at several conferences publicly held with us, the said chiefs and sachems, at the towns and villages, Post Saint Vincent and Vermillion, treat and confer for the purchase of certain tracts of land belonging and appertaining unto us, and to the several tribes of our nation, whom we represent:

And whereas we, the said chiefs and sachems, have deliberately and maturely considered, for ourselves and our posterities, and consulted with the other natives of our several tribes, respecting the proposals made as aforesaid to us, the said chiefs and sachems, by the said Louis Viviat, on behalf of himself and others: And whereas we, the said chiefs and sachems, as well as all the other natives of the several tribes of our nation, are fully satisfied and contented, for the consideration hereinafter mentioned, to grant and confirm unto the said Louis Viviat, and to the other grantees hereinafter mentioned, the several quantities and tracts of lands hereinafter bounded and described.

Now, know ye, therefore, that we, the said chiefs and sachems of the Piankeshaw nation aforesaid, in full and public council assembled, at the town or village of Post Saint Vincent aforesaid; for and in consideration of the sum of five shillings, to us in hand paid by the said Louis Viviat, and for and in consideration of the following goods and merchandise, to us, the said Tabac, or Tobacco, Montour, La Grand Couette, Ouauaijao, Tabac, junior, La Mouche Noire, or the Black Fly, Le Maringouin, or Musquito, Le Petit Castor, or the Little Beaver, Kiesquibichias, Grelot, senior, and Grelot, junior, for the use of the several tribes of our nation, well and truly delivered in full council aforesaid, that is to say:

Four hundred Blankets, twenty-two pieces of stroud, two hundred and fifty shirts, twelve gross of star gartering, one hundred and twenty pieces of ribbon, twenty-four pounds of vermillion, eighteen pairs velvet laced housings, one piece of malton, fifty-two fusils, thirty-five dozen large buckhorn-handle knives, forty dozen couteau knives, five hundred pounds of brass kettles, ten thousand gun flints, six hundred pounds of gunpowder, two thousand pounds of lead, four hundred pounds of tobacco, forty bushels of salt, three thousand pounds of flour, three horses; also, the following quantities of silver ware, viz: eleven very large armbands, forty wristbands, six whole moons, six half-moons, nine ear-wheels, forty-six large crosses, twenty-nine hairpipes, sixty pairs of earbobs, twenty dozen small crosses, twenty dozen nose crosses, and one hundred and ten dozen brooches, the receipt whereof we do hereby acknowledge, have granted, bargained, sold, aliened, released, enfeoffed, ratified, and fully confirmed, and by these Presents do grant, bargain, sell, alien, release, enfeoff, ratify, and fully confirm, unto the said Louis Viviat, the right honorable John Earl of Dunmore, Governor of the colony and dominion of Virginia; the honorable John Murray, son of the said Earl, Moses Franks and Jacob Franks, of the city of London, in the kingdom of Great Britain, Esquires; Thomas Johnson, jr., Esquire, Attorney at Law, and John Davidson, merchant, both of the city of Annapolis, in the province of Maryland; William Russell, Esquire,

Matthew Ridley, Robert Christie, sen. and Robert Christie, jr., of Baltimore town, in the said province of Maryland, merchants; Peter Campbell, of Piscataway, in Maryland, merchant; William Geddes, of Newtown Chester, in Maryland, Esq. collector of his Majesty's Customs; David Franks, merchant, and Moses Franks, attorney at law, both of the city of Philadelphia, in the province of Pennsylvania; William Murray, and Daniel Murray, of the Illinois country, merchants; Nicholas St. Martin, and Joseph Page, of the same place, gentlemen; Francis Perthuis, late of Quebec city, in Canada, but now of Post St. Vincent aforesaid, gentlemen; their heirs and assigns, equally to be divided, or to his most sacred Majesty George the Third, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so-forth, his heirs and successors, for the use, benefit, and behoof, of all the said several above named grantees, their heirs and assigns, in severalty as aforesaid; (by whichever of these tenures they may most legally hold the same:) the two several tracts or parcels of lands, hereinafter bounded and described, viz:

One tract or parcel of land, situate, lying, and being on both sides of the Ouabache river, beginning at the mouth of a rivulet called Riviere du Chat, or Cat River, where it empties itself into the Ouabache river aforesaid, being about fifty-two leagues distant from and above Post St. Vincent aforesaid; thence down the Ouabache, by the several courses thereof, to a place called Point Coupee, (about twelve leagues above Post St. Vincent,) being forty leagues, or thereabouts, in length on the said river Ouabache, from the place of beginning, with forty leagues in width or breadth on the east side, and thirty leagues in breadth or width on the west side, of the Ouabache river aforesaid; to be continued along from the place of beginning to Point Coupee aforesaid: And also one other tract or parcel of land situated, lying, and being on both sides of the Ouabache river aforesaid, beginning from the mouth of White river, where it empties itself into the Ouabache river, (about twelve leagues below Post St. Vincent,) thence down the Ouabache river, by the several courses thereof, until it empties itself into the Ohio

river, being from the said White river to the Ohio, fifty-three leagues in length, or thereabouts, be the same more or less, with forty leagues in width or breadth on the east side, and thirty leagues in width or breadth on the west side of the Ouabache river aforesaid; (the intermediate space of twenty-four leagues, or thereabouts, between Point Coupee and the mouth of the White river aforesaid, being reserved for the use of the inhabitants of Post St. Vincent aforesaid, with the same width or breadth on both sides of the Ouabache river, as is hereby granted in the two other several tracts of land above bounded and described,) the aforesaid two several tracts of land hereby bargained and sold, from the first place of beginning to the Ohio river, consisting, together, of ninety-three leagues in length on the Ouabache river, and, on both sides thereof inclusive, seventy leagues in width or breadth, and that during its whole course as aforementioned, exclusive of, and besides, the reservation of twenty-four leagues in length, and seventy leagues in width or breadth, for the inhabitants of Post St. Vincent, reserved as aforesaid. And the said chiefs and sachems, for themselves, and for the several other natives of their nation, whom they fully and effectually represent, and their and every of their posterities, do hereby guaranty, engage, promise, covenant, and agree, to and with the several abovenamed grantees, their heirs, and assigns, and every of them, that they, the said several abovenamed grantees, their heirs and assigns, and every of them, shall and may, at all times, forever, hereafter have and enjoy the full, free, and undisturbed navigation of the said Ouabache river, from its confluence with the Ohio to its source; as well as of all the other several rivers running through the lands hereby bargained and sold, any thing herein contained to the contrary, or supposed to be, in anywise, notwithstanding: And, also, all minerals, ores, trees, woods, underwoods, waters, water courses, profits, commodities, advantages, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever, to the said two several tracts of land belonging or in any wise appertaining: And, also, the reversion and reversions, remainder and remainders, rents,

issues, and profits, thereof, and of every part and parcel thereof; and all the estate, right, title, interest, use, property, possession, claim, and demand, of them the said Tabac or Tobacco, &c. chiefs and sachems aforesaid, and of all and every other person and persons whatsoever, of or belonging to the said Piankeshaw nation of Indians, of, into, and out of, the premises and every part and parcel thereof; to have and to hold the said two several tracts or parcels of land, and all and singular the said granted and bargained premises, with the appurtenances, unto the said Louis Viviat, &c., their heirs or assigns, forever, in severalty, or unto his Majesty, his heirs, and successors, to and for the only use, benefit, and behoof, of the said grantees, their heirs and assigns, forever, as aforesaid.

And the said Tabac, or Tobacco, &c. for themselves and for all the several tribes of their nation, and all and every other nation, or nations, tributaries, and dependents on the said Piankeshaw Indians, and their, and every of their, posterities, the said several tracts of land and premises, and every part and parcel thereof, against them the said several abovenamed chiefs and sachems, and the said Piankeshaw Indians, and their tributaries and dependents, and all and every of their posterities, unto all the severally above named grantees, their heirs, and assigns, in severalty, or unto his said Majesty, his heirs, and successors, to and for the only use, benefit, and behoof, of the said grantees, their heirs, and assigns, in severalty as aforesaid, shall and will warrant, and forever defend, by these Presents."

This deed, which conveyed to the purchasers about *thirty-seven millions four hundred and ninety-seven thousand and six hundred acres*, was signed by the grantees, attested by a number of the inhabitants of Post Vincennes, and subsequently registered in the office of a Notary Public at Kaskaskia.\* The commencement and progress of the Revolutionary war frustrated the schemes of the Illinois and the Wabash Land Compa-

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\*On the 29th of April, 1780, the Illinois Land Company and the Wabash Land Company were united under the name of "The United Illinois and Wabash Land Companies." The agents of the united companies applied to Congress for a confirmation of a part of their claim, in the years 1781, 1791, 1797, 1804, and 1810; but all these applications were rejected.

nies, and prevented these associations from planting English settlements in the territories to the possession of which they had acquired only an imperfect claim.

From 1768 to 1776, Jean Baptiste Racine, alias St. Marie, who was the principal officer at Post Vincennes, granted many lots of land to French settlers about that village, but none of these lots were very large. In the meantime the French population at post Vincennes, at Ouiatenon and at the Twightwee village, enjoyed a state of almost unrestrained freedom. Living in the heart of "the wilderness, without taxes, and in friendship with the Indians, they passed their lives in hunting, fishing, trading in furs, and raising a few esculents and a little corn for their families. Many of them had intermarried with the Indians, whose amity was by these ties secured and strengthened." \*

Soon after the Declaration of American Independence, the British Lieutenant Governor at Detroit, sent messages and proclamations† to the Indian villages and the French trading posts in the country northwest of the river Ohio, for the purpose of inciting the inhabitants of that region to wage a sanguinary war against the settlers on the western frontiers of the United States. The British Lieutenant Governor gave standing rewards for scalps, but he seldom offered rewards for prisoners. The Continental Congress adopted a less sanguinary policy, and offered rewards for prisoners, but none for scalps.‡

In the month of May, 1777, on the appearance of a proclamation issued by the commandant Edward Abbott, a number of the inhabitants of Post Vincennes took the oath of fidelity to the government of Great Britain. The form of this oath, as it was prescribed by an act of the British Parliament, was as follows:—"I, A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to his majesty King George, and him will defend to the utmost of my power, against all traitorous conspiracies, and attempts whatsoever, which shall be made against his person, crown and dignity; and I will do

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\*Volney.

†Proceedings of Council of Virginia, June 18th, 1779.

‡Secret Jour. Congress, i, 46.

my utmost endeavors to disclose and make known to his majesty, his heirs and successors, all treasons and traitorous conspiracies and attempts, which I shall know to be against him or any of them; and all this I do swear, without any equivocation, mental evasion, or secret reservation; and renouncing all pardons and dispensations from any power or person whomsoever, to the contrary. So help me God."

In the summer of 1777, small war-parties from the north-western tribes, roused by the effects of the British policy, jealous of the loss of their favorite hunting grounds, and enraged at the massacre of a distinguished Shawanee chief,\* began to assail the settlements and forts which had been established by the whites on the southeastern borders of the river Ohio. In the western parts of Pennsylvania, Virginia, and Kentucky, at this era, a fort was not only a place of defence: it was the residence of a small number of families belonging to the same neighborhood; and it consisted of cabins, block-houses, and stockades. "A range of cabins commonly formed one side at least of the fort. Divisions, or partitions of logs, separated the cabins from each other. The walls on the outside were ten or twelve feet high; the slope of the roof being turned wholly inward. A very few of these cabins had puncheon floors; the greater part were earthen. The block-houses were built at the

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\*Late in the spring of 1777, the chiefs Cornstalk, Redhawk, and another Indian visited the fort at the mouth of the Great Kanawha river. At this place a Captain Arbuckle was the commanding officer. "Cornstalk stated to the Captain, that, with the exception of himself, and the tribe to which he belonged, all the nations had joined the English, and that, unless protected by the whites, they would have to run with the stream.' Captain Arbuckle thought proper to detain the Cornstalk chief and his two companions as hostages for the good conduct of the tribe to which they belonged." Elenipsico, a son of Cornstalk, on going to the fort to enquire after his father, was captured and confined. Soon after this event, two Indians who had concealed themselves in the woods on the bank of the Kanawha, killed a white man as he was returning from hunting. "The dead body was brought over the river," and "there was a general cry amongst the men who were present, 'Let us kill the Indians in the fort.' Immediately a gang, with a Captain Hall at their head, went to the house where the hostages were confined. The old chief Cornstalk rose up to meet them at the door, but instantly received seven bullets through his body. His son and his other two fellow hostages were instantly despatched with bullets and tomahawks. Thus fell the Shawanee war chief, Cornstalk, who, like Logan his companion in arms, was conspicuous for intellectual talent, bravery, and misfortune."—Doddridge, 237.—Drake, book v. c. iii, p. 48.

angles of the fort. They projected about two feet beyond the outer walls of the cabins and stockades. Their upper stories were about eighteen inches every way larger in dimensions than the under one—leaving an opening at the commencement of the second story to prevent the enemy from making a lodgement under their walls. In some forts, instead of block-houses the angles of the fort were furnished with bastions. A large folding gate, made of thick slabs, nearest the spring, closed the fort. The stockades, bastions, cabins, and block-house walls, were furnished with port holes at proper heights and distances. The whole of the outside was made completely bullet-proof." In many instances these forts were made without the aid of a single nail or spike of iron, because "such things were not to be had. In some places, less exposed, a single block-house, with a cabin or two, constituted the whole fort."\*

From 1777 to 1784, the rude fortifications of the western settlers were seldom attacked boldly by strong Indian war parties. A credible actor† among the adventurous class of men who first settled in Kentucky, thus described the Indian mode of making war: "The Indians in besieging a place are seldom seen in force upon any quarter; but dispersed, and acting individually, or in small parties. They conceal themselves in the bushes or weeds, or behind trees or stumps of trees; or waylay the path, or fields, or other places where their enemies resort; and when one or more can be taken down, in their opinion, they fire the gun, or let fly the arrow, aimed at the mark. If necessary they retreat: if they dare, they advance upon their killed, or crippled adversary; and take his scalp, or make him prisoner, if possible. They aim to cut off the garrison supplies, by killing the cattle; and they watch the watering places, for those who go for that article of primary necessity; that they may by these means reduce the place to their possession, or destroy its inhabitants in detail. \* \* \* In the night they will place themselves near the fort gate ready to sacrifice the first person who shall appear in the morning. In

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\*Doddridge, 117.

†Col. J. Floyd.—Batler's History of Kentucky, 33.

the day, if there be any cover—such as grass, a bush, a large clod of earth, or a stone as big as a bushel—they will avail themselves of it to approach the fort, by slipping forward on their bellies, within gunshot; and then, whoever appears first, gets the fire; while the assailant makes his retreat behind the smoke from the gun. At other times they approach the walls or palisades with the utmost audacity, and attempt to fire them or to beat down the gate. They often make feints to draw out the garrison on one side of the fort, and if practicable enter it by surprise on the other. And when their stock of provision is exhausted, this being an individual affair, they supply themselves by hunting; and again frequently return to the siege, if by any means they hope to get a scalp. \* \* \* Such was the enemy who infested Kentucky, and with whom the early adventurers had to contend. In the combat, they were brave; in defeat, they were dexterous; in victory they were cruel. Neither sex, nor age, nor the prisoner, were exempted from their tomahawk or scalping knife.. They saw their perpetual enemy taking possession of their HUNTING GROUND; to them the source of amusement, of supply, and of traffic, and they were determined to dispute it to the utmost of their means. \* \* \* In the most difficult times the Indians were obliged to retire into the woods; sometimes in pursuit of game; sometimes as to a place of safety; and, generally by night they withdrew to encamp at a distance. In these intervals the white men would plough their corn, or gather their crop, or get up their cattle, or hunt the deer, the bear, and buffalo, for their own food.”

In the summer of the year 1778, Colonel George Rogers Clark, a native of Albemarle county in Virginia, led a memorable expedition against the ancient French settlements about Kaskaskia, and Post Vincennes. With respect to the magnitude of its design, the valor and perseverance with which it was carried on, and the momentous results which were produced by it, this expedition stands without a parallel in the annals of the valley of the Mississippi. The particulars\* of the

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\*Extracted from the MS. “Memoirs of Gen. George Rogers Clark, composed by himself at the united desire of Presidents Jefferson and Madison.”

most interesting events that occurred in the progress of this remarkable enterprise, are here related in the plain style of the commander of the expedition.

"It was at this period," [1775,] says Clark, in his memoir, "that I first had thoughts of paying some attention to the interests of this country.\* The proprietors, Henderson and Company, took great pains to ingratiate themselves in the favor of the people; but, too soon for their interest, they began to raise on their lands, which caused many to complain. A few gentlemen made some attempts to persuade the people to pay no attention to them. I plainly saw that they would work their own ruin; as the greatest security they had for the country would be that of making it the interest of the people to support their claim. \* \* \* I left the country in the fall of 1775, and returned in the spring following. While in Virginia I found there were various opinions respecting Henderson and Company's claim. Many thought it was good: others doubted whether or not Virginia could, with propriety, have any pretensions to the country. This was what I wanted to know. I immediately fixed on my plans; namely: that of assembling the people; getting them to elect Deputies; and sending them to treat with the Assembly of Virginia, respecting the condition of the country. If valuable conditions were procured, we could declare ourselves citizens of the state: otherwise we might establish an Independent Government; and, by giving away a great part of the lands, and disposing of the remainder we would not only gain great numbers of inhabitants, but in a good measure protect them. To carry this scheme into effect I appointed a general meeting at Harrodstown, on the 6th of June, 1776, and stated that something would be proposed to the people that very much concerned their interest. The reason I had for not publishing what I wished to be done, before the day, was that the people should not get into parties on the subject: and as every one would wish to know what was to be done, there would be a more general meeting. But, unfortunately, it was late in the evening of that day before I

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\*Kentucky.

could get to the place. The people had been in some confusion; but at last concluded that the whole design was to send Delegates to the Assembly of Virginia, with a petition praying the Assembly to accept them as such; to establish a new county, &c. The polls were opened, and before I had arrived, they had far advanced in the election, and had entered with such spirit into it, that I could not get them to change the principle, that of *Delegates with petitions* to that of *Deputies under the authority of the people*. In short, I did not take much pains. Mr. Gabriel Jones and myself were elected; the papers were prepared; and in a few days we set out for Williamsburgh, in the hope of arriving before the Assembly, then sitting, should rise. \* \* \* We proceeded on our journey as far as Bottetourt county, and there learned that we were too late; for the Assembly had already risen. We were now at a loss, for some time, to determine what to do; but concluded that we should wait until the fall session. In the meantime I should go to Williamsburgh, and attempt to procure some powder for the Kentuckians, and watch their interests. We parted. Mr. Jones returned to Holston, to join the forces that were raising in order to repel the Cherokee Indians, (as they had lately commenced hostilities,) and myself proceeded to the Governor of Virginia.

“Mr. Henry, the Governor, lay sick at his seat in Hanover, where I waited on him, and produced my vouchers. He appeared much disposed to favor the Kentuckians, and wrote by me to the Council, on the subject. I attended them. My application was for five hundred pounds of powder, to be conveyed to Kentucky, as an immediate supply. After various questions and consultations, the Council agreed to furnish the supply; but as we were a detached people, and not yet united to the state of Virginia, and uncertain, until the sitting of the Assembly, whether we should be, they would only lend us the ammunition as friends in distress; but that I must become answerable for it, in case the Assembly should not receive us as citizens of the state. I informed them that it was out of my power to pay the expense of carriage and guards neces-

sary for those supplies—that the British officers on our frontiers were making use of every effort to engage the Indians in the war—that the people might be destroyed for the want of this small supply—and that I was in hopes they would consider these matters, and favor us by sending the ammunition at public expense. They replied that they were really disposed to do every thing for us in their power, consistent with their office—which I believed. After making use of many arguments to convince me that even what they proposed was a stretch of power, they informed me that ‘they could venture no farther.’ An order was issued to the keeper of the magazine to deliver me the ammunition. I had for twelve months past reflected so much on the various situations of things, respecting ourselves and the continent at large, that my resolution was formed before I left the Council Chamber. I resolved to return the order I had received, and immediately repair to Kentucky, knowing that the people would readily fall into my first plan; as what had passed had almost reduced it to a certainty of success. I wrote to the Council, and enclosed the order, informing them that I had weighed the matter, and found that it was out of my power to convey those stores at my own expense, such a distance through an enemy’s country—that I was sorry to find we should have to seek protection elsewhere, which I did not doubt of getting—that if a country was not worth protecting, it was not worth claiming, &c. What passed on the reception of this letter, I cannot tell. It was, I suppose, nothing more than what might be expected by a set of gentlemen zealous in the welfare of their country, and fully apprised of what they might expect to take place in Kentucky. I was sent for. Being a little prejudiced in favor of my mother country, I was willing to meet half way. Orders were immediately issued, dated August 23d, 1776, for conveying those stores to Pittsburgh, and there to await further orders from me.

“Things being amicably settled, I wrote to Kentucky, giving information of what I had done; and recommended them to send to Pittsburgh, and convey the ammunition by water to

their own country. This they never received. I waited until the fall session, when I was joined by my colleague, Mr. Jones. We laid our papers before the Assembly. They resolved that we could not take our seats as members; but that our business should be attended to. Colonel Henderson, one of the purchasers of the Cherokees, being present, retarded our business. Colonel Arthur Campbell, one of the members, being also opposed to our having a new county, wished us annexed to the county on the frontiers of which we lay, and which he represented. This caused it to be late in the session\* before we got a complete establishment of a county by the name of Kentucky. \* \* \* \* The commandants of the different towns of the Illinois and Wabash, I knew were busily engaged in exciting the Indians. Their reduction became my first object; expecting, probably, that it might open a field for further action. I sent two young hunters to those places [in the summer of 1777] as spies, with proper instructions for their conduct, to prevent suspicion. Neither did they, nor any one in Kentucky ever know my design until it was ripe for execution.† They

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\*December 7, 1776.

†Silas Deane, who early in 1776 was commissioned by authority of Congress to go to France as a political and commercial agent, wrote as follows to the Committee of Secret Correspondence:

“PARIS, 1st December, 1776.

“To effect any considerable loan in Europe is perhaps difficult. \* \* \* It is obvious, that let the loan be made when it will, it must have a day fixed for payment, and respect to some fund appropriated to that purpose. The relying on future taxes is holding up to the people a succession of distresses and burthens which are not to cease even with the war itself; whereas, could they have a prospect of paying the expenses of the war at the close of it, and enjoying the remainder of their fortunes clear of incumbrance, it must greatly encourage and animate both the public and private spirit in pushing it on with vigor. \* \* \* The good and wise part, the lovers of liberty and human happiness, look forward to the establishment of American freedom and independence as an event, which will secure to them and their descendants an asylum from the effects and violence of despotic power, daily gaining ground in every part of Europe. From these and other considerations on which I need not be minute, emigration from Europe will be prodigious, immediately on the establishment of American independence. The consequence of this must be the rise of the lands already settled; and a demand for new or uncultivated land. On this demand I conceive a certain fund may now be fixed. \* \* \* I trace the river Ohio from its junction to its head, thence north to Lake Erie, on the south and west of that lake to Fort Detroit, which is in the latitude of Boston; thence a west course to the Mississippi, and return to the place of my departure. These three lines, of near one thousand miles each, include an immense territory in a fine climate, well watered, and by accounts exceedingly fertile: it is not in-

returned to Harrodstown with all the information I could reasonably have expected. I found from them that they had but little expectation of a visit from us; but that things were kept in good order, the militia trained, &c. that they might, in case of a visit be prepared—that the greatest pains were taken to inflame the minds of the French inhabitants against the Americans, notwithstanding they could discover traces of affection in some of the inhabitants—that the Indians in that quarter were engaged in the war, &c.

“When I left Kentucky, October 1st, 1777, I plainly saw that every eye was turned towards me, as if expecting some stroke in their favor. Some doubted my return, expecting I would join the army in Virginia. I left them with reluctance, promising them that I would certainly return to their assistance, which I had predetermined. On my arrival at Williamsburgh, I remained a considerable time, settling the accounts of the Kentucky militia, and making remarks of every thing I saw or heard, that could lead me to the knowledge of the disposition of those in power. Burgoyne’s army having been captured, and things seeming to wear a pleasing aspect, on the 10th December I communicated my design to Governor Henry. At first he seemed to be fond of it: but, to detach a party at so great a distance, (although the service performed might be of great utility,) appeared daring and hazardous, as nothing but *secrecy* could give success to the enterprise. To lay the matter before the Assembly, then sitting, would be dangerous, as it would soon be known throughout the frontiers; and probably the first prisoner taken by the Indians would give the alarm, which would end in the certain destruction of the party. He had several private councils, composed of select gentlemen. After making every inquiry into my proposed plans of operation (and particularly that of a retreat, in case of misfortune, across the Mississippi into the Spanish territory,)

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habited by any Europeans of consequence, and the tribes of Indians are inconsiderable, and will decrease faster than the lands can possibly be demanded for cultivation. To this I ask your attention as a resource amply adequate, under proper regulations, for defraying the whole expense of the war, and the sums necessary to be given the Indians in purchase of the native right.”—Sparks’ Dip. Cor. of American Revolution, i, 77.

the expedition was resolved upon; and as an encouragement to those who would engage in said service, an instrument of writing was signed, wherein those gentlemen promised to use their influence to procure from the Assembly three hundred acres of land for each in case of success. The Governor and Council so warmly engaged in the success of this enterprise, that I had very little trouble in getting matters adjusted; and on the 2d day of January, 1778, received my instructions, and £1,200 for the use of the expedition, with an order on Pittsburgh for boats, ammunition, &c. Finding from the Governor's conversation in general to me, on the subject, that he did not wish an implicit attention to his instructions should prevent my executing any thing that would manifestly tend to the good of the public, on the 4th I set forward, clothed with all the authority that I wished. I advanced to Major Wm. Smith £150 to recruit men on Holston, and to meet me in Kentucky. Captain Leonard Helm, of Fauquier, and Captain Joseph Bowman, of Frederick, were to raise each a company, and on the [1st?] February arrive at Red Stone Old Fort.\*

“Being now in the country where all arrangements were to be made, I appointed Captain Wm. Harrod, and many other officers to the recruiting service; and contracted for flour and other stores that I wanted. \* \* \* I received information from Captain Helm that several gentlemen took pains to counteract his interest in recruiting, as no such service was known of by the Assembly. Consequently he had to send to the Governor to get his conduct ratified. I found, also, opposition to our interest in the Pittsburgh country. As the whole was divided into violent parties between the Virginians and Pennsylvanians, respecting territory, the idea of men being raised for the state of Virginia affected the vulgar of the one party: and, as my real instructions were kept concealed, and only an instrument from the Governor, written designedly for deception, was made public, wherein I was authorized to raise men for the defence of Kentucky, many gentlemen of both parties conceived it to be injurious to the public interest to draw off men

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\*Now Brownsville, on the river Monongahela.

at so critical a moment for the defence of a few detached inhabitants, who had better be removed, &c. These circumstances caused some confusion in the recruiting service. On the 29th March, I received a letter from Major Smith, by express, informing me that he had raised four companies on Holston, to be marched immediately to Kentucky, agreeably to his orders; and an express from Kentucky informed me that they had gained considerable strength since I left that quarter. This information of four companies being raised, with Bowman's and Helm's, which I knew were on their way to join me at Red Stone, caused me to be more easy respecting recruits than otherwise I should have been. The officers only got such as had friends in Kentucky, or those induced by their own interest, and desire to see the country. Meeting with several disappointments, it was late in May before I could leave the Red Stone settlement, with those companies, and a considerable number of families and private adventurers. Taking in my stores at Pittsburgh and Wheeling, I proceeded down the river with caution. \* \* \* \*

## CHAPTER VII.

ON arriving with his forces at the Falls of the Ohio, Colonel Clark took possession of an island which contained about seven acres. He divided this island among a small number of families, for whose protection he constructed some light fortifications.

Of the four companies that were recruited by Major Smith, on the Holston, only one had arrived in Kentucky; and when Clark disclosed to the troops his daring designs against Post Vincennes and Kaskaskia, he was deserted by the greater part of that company. Another obstacle interfered with his plans. He found that the settlers of Kentucky, owing to the hostile temper of the Indians, could not at that time hazard a material diminution of the strength of their forts by joining the expedition under his command.

The memoir of Clark proceeds:—"On the [24th] of June, 1778, we left our little island, and run about a mile up the river in order to gain the main channel; and shot the falls at the very moment of the sun being in a great eclipse, which caused various conjectures among the superstitious. As I knew that spies were kept on the river, below the towns of the Illinois, I had resolved to march part of the way by land; and of course left the whole of our baggage, except as much as would equip us in the Indian mode. The whole of our force, after leaving such as was judged not competent to the expected fatigue, consisted only of four companies, commanded by Captains John Montgomery, Joseph Bowman, Leonard Helms, and William Harrod. My force being so small to what I expected, owing to the various circumstances already mentioned, I found it necessary to alter my plans of operation.

As Post Vincennes at this time was a town of considerable force, consisting of near four hundred militia, with an Indian town adjoining, and great numbers continually in the neighborhood, and in the scale of Indian affairs of more importance than any other, I had thought of attacking it first; but now found that I could by no means venture near it. I resolved to begin my career in the Illinois, where there was more inhabitants, but scattered in different villages, and less danger of being immediately overpowered by the Indians: in case of necessity we could probably make our retreat to the Spanish side of the Mississippi; but if successful, we might pave our way to the possession of Post Vincennes.

"I had fully acquainted myself that the French inhabitants in those western settlements had great influence among the Indians in general, and were more beloved by them than any other Europeans—that their commercial intercourse was universal throughout the western and northwestern countries—and that the governing interest on the lakes was mostly in the hands of the English, who were not much beloved by them. These, and many other ideas similar thereto, caused me to resolve, if possible, to strengthen myself by such train of conduct, as might probably attach the French inhabitants to our interest, and give us influence at a greater distance than the country we were aiming for. These were the principles that influenced my future conduct; and, fortunately, I had just received a letter from Colonel Campbell, dated Pittsburgh, informing me of the contents of the treaties\* between France and America. As I intended to leave the Ohio at Fort Massac, three leagues below the Tennessee, I landed on a small

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\*On the 6th of February, 1778, France acknowledged the independence of the United States, and concluded a treaty of amity and commerce, and a treaty of alliance with the new Republic. The British ministry considered these acts equivalent to a declaration of war by France against Great Britain. The first article of the Treaty of Alliance between the United States and France, was fixed in these words; "ART. I. If war should break out between France and Great Britain during the continuance of the present war between the United States and England, his Majesty and the United States shall make it a common cause, and aid each other mutually with their good offices, their counsels, and their forces, according to the exigence of conjunctures, as becomes good and faithful allies." This Treaty of Alliance was annulled by an act of Congress, on the 7th of July, 1798.

island in the mouth of that river, in order to prepare for the march. In a few hours after, one John Duff and a party of hunters coming down the river, were brought to by our boats. They were men formerly from the states, and assured us of their happiness in the adventure. \* \* \* \* They had been but lately from Kaskaskia, and were able to give us all the intelligence we wished. They said that Governor Abbott had lately left Post Vincennes, and gone to Detroit on some business of importance—that Mr. Rochblave commanded at Kaskaskia, &c.—that the militia was kept in good order, and spies on the Mississippi—and that all hunters, both Indians and others, were ordered to keep a good look out for the Rebels—that the fort was kept in good order, as an asylum, &c.—but they believed the whole to proceed more from the fondness of parade than the expectation of a visit—that, if they received timely notice of us, they would collect and give us a warm reception, as they were taught to harbor a most horrid idea of the barbarity of Rebels, especially the Virginians; but, that if we could surprise the place, which they were in hopes we might, they made no doubt of our being able to do as we pleased—that they hoped to be received as partakers in the enterprise, and wished us to put full confidence in them, and they would assist the guides in conducting the party. This was agreed to, and they proved valuable men.

“The acquisition to us was great, as I had no intelligence from these posts, since the spies I sent twelve months past. But no part of their information pleased me more than that of the inhabitants viewing us as more savage than their neighbors, the Indians. I was determined to improve upon this, if I was fortunate enough to get them into my possession; as I conceived the greater the shock I could give them at first, the more sensibly would they feel my lenity, and become more valuable friends. This I conceived to be agreeable to human nature, as I had observed it in many instances. Having every thing prepared, we moved down to a little gully a small distance above Massac, in which we concealed our boats, and set out a northwest course. The weather was favorable: in

some parts water was scarce, as well as game; of course we suffered drought and hunger, but not to excess. On the third day John Saunders, our principal guide appeared confused; and we soon discovered that he was totally lost, without there was some other cause of his present conduct. I asked him various questions, and from his answers I could scarcely determine what to think of him; whether or not that he was lost, or that he wished to deceive us. \* \* \* The cry of the whole detachment was that he was a traitor. He begged that he might be suffered to go some distance into a plain that was in full view to try to make some discovery whether or not he was right. I told him he might go; but that I was suspicious of him from his conduct—that from the first day of his being employed he always said he knew the way well—that there was now a different appearance—that I saw the nature of the country was such that a person once acquainted with it, could not in a short time forget it—that a few men should go with him to prevent his escape—and that if he did not discover and take us into the Hunter's Road that led from the east into Kaskaskia, which he had frequently described, I would have him immediately put to death; which I was determined to have done: but after a search of an hour or two he came to a place that he knew perfectly; and we discovered that the poor fellow had been, as they call it, bewildered.

“On the 4th of July, in the evening, we got within a few miles of the town, where we lay until near dark, keeping spies ahead, after which we commenced our march, and took possession of a house wherein a large family lived, on the bank of the Kaskaskia river, about three quarters of a mile above the town. Here we were informed that the people a few days before were under arms, but had concluded that the cause of the alarm was without foundation; and that at that time there was a great number of men in town, but that the Indians had generally left it, and at present all was quiet. We soon procured a sufficiency of vessels, the more in ease to convey us across the river. \* \* \* \* With one of the divisions I marched to the Fort, and ordered the other two into different quarters

of the town. If I met with no resistance, at a certain signal a general shout was to be given, and certain parts were to be immediately possessed; and men of each detachment, who could speak the French language, were to run through every street and proclaim what had happened; and inform the inhabitants that every person that appeared in the streets would be shot down. This disposition had its desired effect. In a very little time we had complete possession; and every avenue was guarded, to prevent any escape, to give the alarm to the other villages in case of opposition. Various orders had been issued not worth mentioning. I don't suppose greater silence ever reigned among the inhabitants of a place than did at this at present: not a person to be seen, not a word to be heard by them for some time; but, designedly, the greatest noise kept up by our troops through every quarter of the town, and patrols continually the whole night round it; as intercepting any information was a capital object; and in about two hours the whole of the inhabitants were disarmed, and informed that if one was taken attempting to make his escape he should be immediately put to death."

When Colonel Clark, by the use of various bloodless means, had raised the terror of the French inhabitants to a painful height, he surprised them and won their confidence and friendship, by performing, unexpectedly, several acts of justice and generosity. On the morning of the 5th of July, a few of the principal men were arrested, and put in irons. Soon afterwards, M. Gibault, the priest of the village, accompanied by five or six aged citizens waited on Clark, and said that the inhabitants expected to be separated, perhaps never to meet again, and they begged to be permitted to assemble in their church, and there to take leave of each other. Clark mildly told the priest that he had nothing to say against his religion; that it was a matter which Americans left for every man to settle with his God: that the people might assemble in their church, if they would; but that they must not venture out of town. Nearly the whole French population assembled at the church. The houses were deserted by all who could leave

them; and Clark gave orders to prevent any soldiers from entering the vacant buildings. After the close of the meeting at the church, a deputation, consisting of M. Gibault and several other persons, waited on Clark, and said "that their present situation was the fate of war, and that they could submit to the loss of their property; but they solicited that they might not be separated from their wives and children; and that some clothes and provisions might be allowed for their support." Clark feigned surprise at this request, and abruptly exclaimed, "Do you mistake us for savages? I am almost certain you do, from your language! Do you think that Americans intend to strip women and children, or take the bread out of their mouths?" "My countrymen," said Clark, "disdain to make war upon helpless innocence. It was to prevent the horrors of Indian butchery upon our own wives and children, that we have taken arms and penetrated into this remote strong hold of British and Indian barbarity; and not the despicable prospect of plunder. That now the king of France had united his powerful arms with those of America, the war would not, in all probability, continue long; but the inhabitants of Kaskaskia were at liberty to take which side they pleased, without the least danger to either their property or families. Nor would their religion be any source of disagreement; as all religions were regarded with equal respect in the eye of the American law, and that any insult offered it, would be immediately punished. And now, to prove my sincerity, you will please inform your fellow citizens, that they are quite at liberty to conduct themselves as usual, without the least apprehension. I am now convinced, from what I have learned since my arrival among you, that you have been misinformed, and prejudiced against us by British officers; and your friends who are in confinement shall immediately be released."\* In a few minutes after the delivery of this speech, the gloom that rested on the minds of the inhabitants of Kaskaskia had passed away. The news of the treaty of alliance between France and the United States, and the influence of the magnanimous conduct of Clark,

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\*Clark's Memoir.

induced the French villagers to take the oath of allegiance to the state of Virginia. Their arms were restored to them, and a volunteer company of French militia joined a detachment under Captain Bowman, when that officer was despatched to take possession of Cahokia. The inhabitants of this small village, on hearing what had taken place at Kaskaskia, readily took the oath of allegiance to Virginia.

The memoir of Clark proceeds:—"Post Vincennes never being out of my mind, and from some things that I had learned I had some reason to suspect that Mr. Gibault, the priest, was inclined to the American interest previous to our arrival in the country. He had great influence over the people at this period, and Post Vincennes was under his jurisdiction. I made no doubt of his integrity to us. I sent for him, and had a long conference with him on the subject of Post Vincennes. In answer to all my queries, he informed me that he did not think it worth my while to cause any military preparation to be made at the Falls of the Ohio, for the attack of Post Vincennes, although the place was strong and a great number of Indians in its neighborhood, who, to his knowledge, were generally at war—that Governor Abbott had a few weeks before left the place on some business to Detroit—that he expected that when the inhabitants were fully acquainted with what had passed at the Illinois, and the present happiness of their friends, and made fully acquainted with the nature of the war, that their sentiments would greatly change—that he knew that his appearance there would have great weight, even among the savages—that if it was agreeable to me he would take this business on himself, and had no doubt of his being able to bring that place over to the American interest without my being at the trouble of marching against it—that his business being altogether spiritual, he wished that another person might be charged with the temporal part of the embassy; but that he would privately direct the whole; and he named Doctor Lafont as his associate.

"This was perfectly agreeable to what I had been secretly aiming at for some days. The plan was immediately settled,

and the two doctors, with their intended retinue, among whom I had a spy, set about preparing for their journey; and set out on the 14th of July, with an address to the inhabitants of Post Vincennes, authorising them to garrison their own town themselves, which would convince them of the great confidence we put in them, &c. All this had its desired effect. Mr. Gibault and his party arrived safe, and after their spending a day or two in explaining matters to the people, they universally acceded to the proposal (except a few emissaries left by Mr. Abbott, who immediately left the country,) and went in a body to the church, where the oath of allegiance was administered to them in the most solemn manner. An officer was elected, the fort immediately [garrisoned,] and the American flag displayed to the astonishment of the Indians, and every thing settled far beyond our most sanguine hopes. The people here immediately began to put on a new face, and to talk in a different style, and to act as perfect freemen. With a garrison of their own, with the United States at their elbow, their language to the Indians was immediately altered. They began as citizens of the United States, and informed the Indians that their old father the king of France was come to life again, and was mad at them for fighting for the English; that they would advise them to make peace with the Americans as soon as they could, otherwise they might expect the land to be very bloody, &c. The Indians began to think seriously: throughout the country this was now the kind of language they generally got from their ancient friends of the Wabash and Illinois. Through the means of their correspondence spreading among the nations our batteries began now to play in a proper channel. Mr. Gibault and party, accompanied by several gentlemen of Post Vincennes, returned to Kaskaskia, about the first of August, with the joyful news. During his absence on this business, which caused great anxiety in me, (for without the possession of this post all our views would have been blasted,) I was exceedingly engaged in regulating things in the Illinois. The reduction of these posts was the period of the enlistment of our troops. I was at a great loss at this time to determine how to

act, and how far I might venture to strain my authority. My instructions were silent on many important points, as it was impossible to foresee the events that would take place. To abandon the country, and all the prospects that opened to our view in the Indian department at this time, for the want of instruction in certain cases, I thought would amount to a reflection on government, as having no confidence in me. I resolved to usurp all the authority necessary to carry my points. I had the greater part of our [troops] re-enlisted on a different establishment—commissioned French officers in the country to command a company of the young inhabitants—established a garrison at Cahokia, commanded by Captain Bowman; and another at Kaskaskia, commanded by Captain Williams. Post Vincennes remained in the situation as mentioned. Colonel William Linn, who had accompanied us a volunteer, took charge of a party that was to be discharged on their arrival at the Falls, and orders were sent for the removal of that post to the main land. Captain John Montgomery was despatched to Government with letters. \* \* \* I again turned my attention to Post Vincennes. I plainly saw that it would be highly necessary to have an American officer at that post. Captain Leonard Helm appeared calculated to answer my purpose: he was past the meridian of life, and a good deal acquainted with the Indian [disposition.] I sent him to command at that post; and also appointed him Agent for Indian Affairs in the department of the Wabash. \* \* \* About the middle of August he set out to take possession of his new command.

“An Indian chief called the Tobacco’s Son, a Piankeshaw, at this time resided in a village adjoining Post Vincennes. This man was called by the Indians ‘The Grand Door to the Wabash;’ and as nothing of consequence was to be undertaken by the league on the Wabash without his assent, I discovered that to win him was an object of signal importance. I sent him a spirited compliment by Mr. Gibault: he returned it. I now, by Captain Helm, touched him on the same spring that I had done the inhabitants, and sent a speech, with a belt

of wampum; directing Captain Helm how to manage, if the chief was pacifically inclined, or otherwise. The captain arrived safe at Post Vincennes, and was received with acclamations by the people. After the usual ceremony was over he sent for the Grand Door, and delivered my letter to him. After having it read, he informed the captain that he was happy to see him, one of the Big Knife Chiefs, in this town — it was here that he had joined the English against him; but he confessed that he always thought that they looked gloomy: that as the contents of the letter was a matter of great moment he could not give an answer for some time—that he must collect his counsellors on the subject; and was in hopes the captain would be patient. In short, he put on all the courtly dignity that he was master of; and Captain Helm, following his example, it was several days before this business was finished, as the whole proceeding was very ceremonious. At length the Captain was invited to the Indian council, and informed by the Tobacco that they had maturely considered the case in hand, and had got the nature of the war between the English and us explained to their satisfaction; that, as we spoke the same language and appeared to be the same people, he always thought that he was in the dark as to the truth of it: but now the sky was cleared up: that he found that the Big Knife was in the right—that perhaps if the English conquered they would serve them in the same manner that they intended to serve us—that his ideas were quite changed—and that he would tell all the red people on the Wabash to bloody the land no more for the English: he jumped up, struck his breast, called himself a man and a warrior, said that he was now a Big Knife, and took Captain Helm by the hand. His example was followed by all present, and the evening was spent in merriment. Thus ended this valuable negotiation and the saving of much blood. \* \* \* \* In a short time almost the whole of the various tribes of the different nations on the Wabash, as high as the Ouiatenon, came to Post Vincennes, and followed the example of the Grand Door Chief; and as expresses were continually passing between Captain Helm

and myself the whole time of these treaties, the business was settled perfectly to my satisfaction, and greatly to the advantage of the public. The British interest daily lost ground in this quarter, and in a short time our influence reached the Indians on the river St. Joseph, and the border of Lake Michigan. The French gentlemen, at the different posts that we now had possession of, engaged warmly in our interest. They appeared to vie with each other in promoting the business; and through the means of their correspondence, trading among the Indians, and otherwise, in a short time the Indians of various tribes inhabiting the region of Illinois, came in great numbers to Cahokia, in order to make treaties of peace with us. From the information they generally got from the French gentlemen (whom they implicitly believed,) respecting us, they were truly alarmed; and, consequently, we were visited by the greater part of them, without any invitation from us: of course we had greatly the advantage, in making use of such language as suited our [interest.] Those treaties, which commenced about the last of August and continued between three and four weeks, were probably conducted in a way different from any other known in America at that time. I had been always convinced that our general conduct with the Indians was wrong—that inviting them to treaties was considered by them in a different manner to what we expected, and imputed, by them, to fear—and that giving them great presents confirmed it. I resolved to guard against this, and I took good pains to make myself acquainted fully with the French and Spanish methods of treating Indians, and with the manners, genius, and disposition of the Indians in general. As in this quarter they had not yet been spoiled by us, I was resolved that they should not be. I began the business fully prepared, having copies of the British treaties.”

At the first great council which was opened at Cahokia, an Indian chief with a Belt of Peace in his hand, advanced to the table at which Colonel Clark was sitting: another chief, bearing the Sacred Pipe of the tribe, went forward to the table; and a third chief then advanced with fire to kindle the pipe.

When the pipe was lighted, it was figuratively presented to the heavens, then to the earth, and then to all the good spirits: thus invoking the heavens, the earth, and all the good spirits, to witness what was about to be done. After the observance of these forms, the pipe was presented to Clark, and afterwards to every person present. An Indian speaker then addressed the Indians as follows: "Warriors! you ought to be thankful that the Great Spirit has taken pity on you, and cleared the sky, and opened your ears and hearts, so that you may hear the truth. We have been deceived by bad birds flying through the land; but we will take up the bloody hatchet no more against the Big Knife: and we hope, as the Great Spirit has brought us together for good, as he is good, that we may be received as friends, and that the Belt of Peace may take the place of the Bloody Belt."

"I informed them," says Clark, "that I had paid attention to what they had said; and that on the next day I would give them an answer, when I hoped the ears and hearts of all people would be open to receive the truth which should be spoken without deception. I advised them to keep themselves prepared for the result of this day, on which, perhaps, their very existence as a nation depended, &c., and dismissed them—not suffering any of our people to shake hands with them, as peace was not yet concluded—telling them it was time enough to give the hand when the heart could be given also. They replied that 'such sentiments were like men who had but one heart, and did not speak with a double tongue.' The next day I delivered them the following speech:

"Men and warriors! pay attention to my words: You informed me yesterday, that the Great Spirit had brought us together; and that you hoped, as he was good, that it would be for good. I have also the same hope, and expect that each party will strictly adhere to whatever may be agreed upon—whether it be peace or war—and henceforward prove ourselves worthy of the attention of the Great Spirit. I am a man and a warrior: not a counsellor. I carry War in my right hand; and in my left, Peace. I am sent by the Great Council

of the Big Knife, and their friends, to take possession of all the towns possessed by the English in this country; and to watch the motions of the Red People: to bloody the paths of those who attempt to stop the course of the river; but to clear the roads from us to those who desire to be in peace—that the women and children may walk in them without meeting any thing to strike their feet against. I am ordered to call upon the Great Fire for warriors enough to darken the land, and that the Red People may hear no sound, but of birds who live on blood. I know there is a mist before your eyes. I will dispel the clouds, that you may clearly see the cause of the war between the Big Knife and the English: then you may judge, for yourselves, which party is in the right: and if you are warriors, as you profess to be, prove it by adhering faithfully to the party which you shall believe to be entitled to your friendship; and do not show yourselves to be squaws.

“The Big Knives are very much like the Red People; they don’t know how to make blankets, and powder, and cloth. They buy these things from the English, from whom they are sprung. They live by making corn, hunting, and trade, as you and your neighbors, the French, do. But the Big Knives daily getting more numerous, like the trees in the woods, the land became poor, and hunting scarce; and having but little to trade with, the women began to cry at seeing their children naked, and tried to learn how to make clothes for themselves. They soon made blankets for their husbands and children; and the men learned to make guns and powder. In this way we did not want to buy so much from the English. They then got mad with us, and sent strong garrisons through our country; as you see they have done among you on the lakes, and among the French. They would not let our women spin, nor our men make powder, nor let us trade with any body else. The English said we should buy every thing from them; and, since we had got saucy, we should give two bucks for a blanket, which we used to get for one: we should do as they pleased; and they killed some of our people, to make the rest fear them. This is the truth, and the real cause of the war between the

English and us, which did not take place for some time after this treatment.

“But our women became cold and hungry, and continued to cry. Our young men got lost for want of counsel to put them in the right path. The whole land was dark. The old men held down their heads for shame; because they could not see the sun: and thus there was mourning for many years over the land. At last the Great Spirit took pity on us, and kindled a Great Council Fire, that never goes out, at a place called Philadelphia. He then stuck down a post, and put a war tomahawk by it, and went away. The sun immediately broke out: the sky was blue again: and the old men held up their heads, and assembled at the fire. They took up the hatchet—sharpened it—and put it into the hands of our young men—ordering them to strike the English as long as they could find one on this side of the great waters. The young men immediately struck the war post, and blood was shed. In this way the war began; and the English were driven from one place to another, until they got weak; and then they hired you Red People to fight for them. The Great Spirit got angry at this, and caused your old father, the French King, and other great nations to join the Big Knives, and fight with them against all their enemies. So the English have become like deer in the woods; and you may see that it is the Great Spirit that has caused your waters to be troubled, because you have fought for the people he was mad with. If your women and children should now cry, you must blame yourselves for it, and not the Big Knives.

“You can now judge who is in the right. I have already told you who I am. Here is a Bloody Belt and a White one; take which you please. Behave like men: and don’t let your being surrounded by the Big Knives, cause you to take up the one belt with your hands, while your hearts take up the other. If you take the bloody path you shall leave the town in safety, and may go and join your friends, the English. We will then try, like warriors, who can put the most stumbling blocks in each other’s way, and keep our clothes longest stained with

blood. If, on the other hand, you should take the path of peace, and be received as brothers to the Big Knives, with their friends, the French, should you then listen to bad birds that may be flying through the land, you will no longer deserve to be counted as men; but as creatures with two tongues, that ought to be destroyed without listening to any thing you might say. As I am convinced you never heard the truth before, I do not wish you to answer before you have taken time to counsel. We will, therefore, part this evening: and when the Great Spirit shall bring us together again, let us speak and think like men with but one heart and one tongue."

"The next day after this Speech, a new fire was kindled with more than usual ceremony; an Indian Speaker came forward and said, 'They ought to be thankful that the Great Spirit had taken pity on them, and opened their ears and their hearts to receive the truth. He had paid great attention to what the Great Spirit had put into my heart to say to them. They believed the whole to be the truth; as the Big Knives did not speak like any other people they had ever heard. They now saw they had been deceived, and that the English had told them lies, and that I had told them the truth—just as some of their old men had always told them. They now believed that we were in the right: and as the English had forts in their country, they might, if they got strong enough, want to serve the Red People as they had treated the Big Knives. The Red People ought, therefore, to help us; and they had, with a cheerful heart, taken up the Belt of Peace, and spurned that of War. They were determined to hold the former fast: and would have no doubt of our friendship, from the manner of our speaking—so different from that of the English. They would now call in their warriors, and throw the tomahawk into the river, where it could never be found. They would suffer no more bad birds to fly through the land, disquieting the women and children. They would be careful to smooth the roads for their brothers, the Big Knives, whenever they might wish to come and see them. Their friends should hear of the good talk I had given them; and they hoped

I would send chiefs among them, with my eyes, to see myself that they were men and strictly adhered to all they had said at this great fire, which the Great Spirit had kindled at Cahokia, for the good of all people who would attend it.’”

The sacred pipe was again kindled, and presented, figuratively, to the heavens and the earth, and to all the good Spirits as witness of what had been done. The Indians and the white men then closed the council, by smoking the pipe, and shaking hands. With no material variation, either of the forms that were observed, or of the speeches that were made at this council, Colonel Clark and his officers, concluded treaties of peace with the Piankeshaws, Ojatenons, Kickapoos, Illinois, Kaskaskias, Peorias, and branches of some other tribes that inhabited the country between Lake Michigan and the river Mississippi.

Governor Henry soon received intelligence of the successful progress of the expedition under the command of Clark. The French inhabitants of the villages of Kaskaskia, Cahokia, and Post Vincennes, having taken the oath of allegiance to the state of Virginia, the General Assembly of that state, in October, 1778, passed an act which contained the following provisions, viz:—All the citizens of the Commonwealth of Virginia “who are already settled or shall hereafter settle *on the western side of the Ohio*, shall be included in a distinct county, which shall be called *Illinois county*: and the Governor of this Commonwealth, with the advice of the Council, may appoint a County Lieutenant, or Commandant-in-chief in that county, during pleasure, who shall appoint and commission so many Deputy Commandants, Militia officers, and Commissaries, as he shall think proper in the different Districts, during pleasure; all of whom, before they enter into office, shall take the oath of fidelity to this Commonwealth, and the oath of office, according to the form of their own religion. And all civil officers to which the inhabitants have been accustomed, necessary for the preservation of the peace, and the administration of justice, shall be chosen by a majority of the citizens in their respective Districts, to be convened for that purpose, by the

County Lieutenant or Commandant, or his Deputy, and shall be commissioned by the said County Lieutenant or Commandant-in-chief."

Before the provisions of this law were carried into effect, Henry Hamilton, the British Lieutenant Governor of Detroit, collected an army consisting of about thirty regulars, fifty French volunteers, and four hundred Indians. With this force he passed down the river Wabash, and took possession of Post Vincennes on the 15th of December, 1778. No attempt was made by the population to defend the town. Captain Helm\* was taken and detained as a prisoner, and a number of the French inhabitants were disarmed.

Soon after the reduction of Post Vincennes, the situation of Colonel Clark became perilous. Detached parties of hostile Indians began to appear in the neighborhood of his forces in the Illinois. He ordered Major Bowman to evacuate the fort at Cahokia, and join him at Kaskaskia. "I could see," says Clark, "but little probability of keeping possession of the country; as my number of men was too small to stand a siege, and my situation too remote to call for assistance. I made all the preparation I possibly could for the attack, and was necessitated to set fire to some of the houses in town, to clear them out of the way. But, on the 29th of January, 1779, in the height of the hurry, a Spanish merchant, [Francis Vigo] who had been at Post Vincennes, arrived and gave the following intelligence: That Mr. Hamilton had weakened himself by sending his Indians against the frontiers, and to block up the Ohio; that he had not more than eighty men in garrison, three pieces of cannon, and some swivels mounted; that the hostile Indians were to meet at Post Vincennes in the spring, drive us out of

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\*The following anecdote is related in Butler's History of Kentucky, p. 80.—"When Governor Hamilton entered Vincennes, there were but two Americans there, Capt. Helm, the commandant, and one Henry. The latter had a cannon well charged, and placed in the open fort gate, while Helm stood by it with a lighted match in his hand. When Hamilton and his troops got within hailing distance, the American officer in a loud voice, cried out 'Halt!' This stopped the movements of Hamilton, who, in reply, demanded a surrender of the garrison. Helm exclaimed, with an oath, 'No man shall enter until I know the terms.' Hamilton answered, 'You shall have the honors of war;' and then the fort was surrendered with its garrison of one officer and one private."

the Illinois, and attack the Kentucky settlements, in a body, joined by their southern friends; that all the goods were taken from the merchants of Post Vincennes for the King's use;—that the troops under Hamilton were repairing the fort, and expected a reinforcement from Detroit in the spring; that they appeared to have plenty of all kinds of stores; that they were strict in their discipline; but, that he did not believe they were under much apprehension of a visit; and believed that, if we could get there undiscovered, we might take the place. In short, we got every information from this gentleman that we could wish for; as he had had good opportunities, and had taken great pains to inform himself with a design to give intelligence.\* We now viewed ourselves in a very critical situation—in a manner cut off from any intercourse between us and the United States. We knew that Governor Hamilton, in the spring, by a junction of his northern and southern Indians, (which he had prepared for,) would be at the head of such a force that nothing in this quarter could withstand his arms—that Kentucky must immediately fall; and well if the desolation would end there. If we could immediately make our way good to Kentucky, we were convinced that before we could raise a force even sufficient to save that country, it would be too late—as all the men in it, joined by the troops we had, would not be sufficient; and to get timely succor from the interior counties was out of the question. We saw but one alternative, which was to attack the enemy in their quarters. If we were fortunate, it would save the whole. If otherwise, it would be nothing more than what would certainly be the consequence if we should not make the attempt. \* \* \* These, and many other similar reasons, induced us to resolve to attempt the enterprise, which met with the approbation of every individual belonging to us.

“Orders were immediately issued for preparations. The whole country took fire at the alarm; and every order was executed with cheerfulness by every description of the inhabitants—preparing provisions, encouraging volunteers, &c. &c.,

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\*Jefferson's Correspondence, i, 451.—Clark's MS. Memoir.

and as we had plenty of stores, every man was completely rigged with what he could desire to withstand the coldest weather. \* \* \* To convey our artillery and stores, it was concluded to send a vessel round by water, so strong that she might force her way. A large Mississippi boat was immediately purchased, and completely fitted out as a galley, mounting two four-pounders, and four large swivels.\* She was manned by forty-six men under the command of Captain John Rogers. He set sail on the 4th of February, with orders to force his way up the Wabash as high as the mouth of White River, and to secrete himself until further orders; but if he found himself discovered to do the enemy all the damage he could, without running too great a risk of losing his vessel; and not to leave the river until he was out of hope of our arrival by land; but by all means to conduct himself so as to give no suspicion of our approach by land. We had great dependence on this galley. She was far superior to any thing the enemy could fit out without building a vessel: and, at the worst, if we were discovered, we could build a number of large pirogues, such as they possessed, to attend her, and with such a little fleet, perhaps, pester the enemy very much; and if we saw it our interest, force a landing: at any rate, it would be sometime before they could be a match for us on the water.

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\*This vessel was called "The Willing."

## CHAPTER VIII.

“EVERY thing being ready, on the 5th of February, after receiving a lecture and absolution from the priest, we crossed the Kaskaskia river with one hundred and seventy men: marched about three miles and encamped, where we lay until the [7th,] and set out. The weather wet, (but fortunately not cold for the season,) and a great part of the plains under water several inches deep. It was difficult and very fatiguing marching. My object was now to keep the men in spirits. I suffered them to shoot game on all occasions, and feast on it like Indian war-dancers; each company by turns inviting the others to their feasts; which was the case every night; as the company that was to give the feast was always supplied with horses to lay up a sufficient store of wild meat in the course of the day: myself and principal officers putting on the woodsmen, shouting now and then, and running as much through the mud and water as any of them. Thus, insensibly, without a murmur, were those men led on to the banks of the Little Wabash, which we reached on the 13th, through incredible difficulties, far surpassing any thing that any of us had ever experienced. Frequently the diversions of the night wore off the thoughts of the preceding day. We formed a camp on a height which we found on the bank of the river, and suffered our troops to amuse themselves. I viewed this sheet of water for some time with distrust; but, accusing myself of doubting, I immediately set to work, without holding any consultation about it, or suffering any body else to do so in my presence: ordered a pirogue to be built immediately, and acted as though crossing the water would be only a piece of diversion. As but few could work at the pirogue, at a time, pains were taken to find

diversion for the rest, to keep them in high spirits. \* \* \* In the evening of the 14th our vessel was finished, manned, and sent to explore the drowned lands on the opposite side of the Little Wabash, with private instructions what report to make, and, if possible to find some spot of dry land. They found about half an acre, and marked the trees from thence back to the camp, and made a very favorable report.

“Fortunately, the 15th happened to be a warm moist day, for the season. The channel of the river, where we lay, was about thirty yards wide. A scaffold was built on the opposite shore (which was about three feet under water,) and our baggage ferried across, and put on it: our horses swam across and received their loads at the scaffold; by which time the troops were also brought across, and we began our march, through the water. \* \* \*

“By evening we found ourselves encamped on a pretty height, in high spirits; each party laughing at the other, in consequence of something that had happened in the course of this ferrying business, as they called it. A little antic drummer afforded them great diversion by floating on his drum, &c. All this was greatly encouraged; and they really began to think themselves superior to other men, and that neither the rivers nor the seasons could stop their progress. Their whole conversation now was concerning what they would do when they got about the enemy. They now began to view the main Wabash as a creek, and made no doubt but such men as they were could find a way to cross it. They wound themselves up to such a pitch, that they soon took Post Vincennes, divided the spoil, and before bed-time were far advanced on their route to Detroit. All this was no doubt pleasing to those of us who had more serious thoughts. \* \* \* We were now convinced that the whole of the low country on the Wabash was drowned, and that the enemy could easily get to us, if they discovered us, and wished to risk an action: if they did not, we made no doubt of crossing the river by some means or other: even if Captain Rogers, with our galley, did not get to his station agreeable to his appointment, we

flattered ourselves that all would be well, and marched on in high spirits."

Here follows an extract from the manuscript journal of Major Bowman:

"February 16th, 1779.—Marched all day through rain and water. Crossed the Fur river. Our provisions begin to be short.

"17th.—Marched early:—crossed several runs very deep. Sent Mr. Kernedy, our commissary, with three men, to cross the river Embarrass, if possible, and proceed to a plantation opposite Post Vincennes, in order to steal boats or canoes to ferry us across the Wabash. About an hour by sun we got near the river Embarrass:—found the country all overflowed with water. We strove to find the Wabash. Travelled till eight o'clock in mud and water, but find no place to encamp on. Still keep marching on; but after some time Mr. Kernedy and his party returned. Found it impossible to cross the Embarrass river. We found the water falling from a small spot of ground. Staid there the remainder of the night. Drizzly and dark weather.

"18th.—At day-break heard Governor Hamilton's morning gun. Set off, and marched down the river [Embarrass]—saw some fine land. About two o'clock came to the bank of the Wabash: made rafts for four men to cross and go up to town and steal boats. But they spent the day and night in the water to no purpose, for there was not one foot of dry land to be found.

"19th.—Captain McCarty's company set to making a canoe; and at three o'clock the four men returned, after spending the night on some logs in the water. The canoe finished. Captain McCarty with three of his men embarked in the canoe and made the next attempt to steal boats; but he soon returned having discovered four large fires about a league distant from our camp; they seemed to be fires of whites and Indians. Immediately Colonel Clark sent two men in the canoe down to meet the galley, with orders to come on day and night: that being our last hope, and [we] starving. Many of the

men much cast down—particularly the volunteers. No provision of any sort, now two days. Hard fortune.

“20th.—Camp very quiet; but hungry. Some almost in despair. Many of the Creole volunteers talking of returning.\* Fell to making more canoes, when about twelve o'clock our sentry on the river, brought to a boat with five Frenchmen from the fort, who told us we were not as yet discovered—that the inhabitants were well disposed to us, &c. \* \* \* They informed us of two canoes they had seen adrift some distance above us. Ordered that Captain Worthington, with a party, go in search of them. Returned late with one only. One of our men killed a deer, which was brought into camp very acceptably.

“21st.—At break of day began to ferry our men over [the Wabash] in two canoes, to a small hill called the Mamelie. Captain Williams, with two men, went to look for a passage, and were discovered by two men in a canoe, but could not fetch them to. The whole army being over, we thought to get to town that night—so plunged into the water, sometimes to the neck, for more than one league, when we stopped on a hill of the same name—there being no dry land on any side for many leagues. Our pilots say we cannot get along—that it is impossible. The whole army being over, we encamped. Rain all this day: No provisions.”

The memoir of Clark proceeds:—“This last day's march† through the water was far superior to any thing the Frenchmen had an idea of: they were backward in speaking—said that the nearest land to us was a small league, called the Sugar camp, on the bank of the [river?] A canoe was sent off, and

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\* “Many of our volunteers began, for the first time, to despair. Some talked of returning; but my situation now was such that I was past all uneasiness. I laughed at them without persuading or ordering them to desist from any such attempt; but told them I should be glad if they would go out and kill some deer. They went, confused with such conduct. My own troops I knew had no idea of abandoning an enterprise for the want of provisions, while there was plenty of good horses in their possession: and I knew that, without any violence, the volunteers could be detained for a few days, in the course of which time our fate would be known. I conducted myself in a manner that caused the whole to believe that I had no doubt of success, which kept their spirits up.”—[Clark's MS. Memoir.

†February 21st.

returned without finding that we could pass. I went in her myself, and sounded the water: found it deep as to my neck. I returned with a design to have the men transported on board the canoes to the Sugar camp, which I knew would spend the whole day and ensuing night; as the vessels would pass slowly through the bushes. The loss of so much time, to men half starved, was a matter of consequence. I would have given now a great deal for a day's provision, or for one of our horses. I returned but slowly to the troops—giving myself time to think. On our arrival, all ran to hear what was the report. Every eye was fixed on me. I unfortunately spoke in a serious manner to one of the officers: the whole were alarmed without knowing what I said. I viewed their confusion for about one minute—whispered to those near me to do as I did—immediately put some water in my hand, poured on powder, blackened my face, gave the war-whoop, and marched into the water, without saying a word. The party gazed, and fell in, one after another, without saying a word, like a flock of sheep. I ordered those near me to begin a favorite song of theirs: it soon passed through the line, and the whole went on cheerfully. I now intended to have them transported across the deepest part of the water; but when about waist deep one of the men informed me that he thought he felt a path. We examined, and found it so; and concluded that it kept on the highest ground, which it did; and by taking pains to follow it, we got to the Sugar camp, without the least difficulty, where there was about half an acre of dry ground, at least not under water, where we took up our lodging. The Frenchmen that we had taken on the river appeared to be uneasy at our situation. They begged that they might be permitted to go in the two canoes to town in the night: they said that they would bring from their own houses provisions, without a possibility of any persons knowing it—that some of our men should go with them, as a surety of their good conduct—that it was impossible we could march from that place till the water fell, for the plain was too deep to march. Some of the [officers?] believed that it might be done. I would not suffer it. I never could

well account for this piece of obstinacy, and give satisfactory reasons to myself, or any body else, why I denied a proposition apparently so easy to execute, and of so much advantage: but something seemed to tell me that it should not be done; and it was not done.

“The most of the weather that we had on this march, was moist and warm, for the season. This was the coldest night we had. The ice in the morning was from one half to three quarters of an inch thick, near the shores, and in still water. The morning was the finest we had on our march. A little after sunrise I lectured the whole. What I said to them I forget; but it may be easily imagined by a person that could possess my affections for them at that time:—I concluded by informing them that passing the plain that was then in full view, and reaching the opposite woods, would put an end to their fatigue—that in a few hours they would have a sight of their long wished for object—and immediately stepped into the water without waiting for any reply. A huzza took place. As we generally marched through the water in a line, before the third entered I halted and called to Major Bowman, ordering him to fall in the rear with twenty-five men, and put to death any man who refused to march; as we wished to have no such person among us. The whole gave a cry of approbation, and on we went. This was the most trying of all the difficulties we had experienced. I generally kept fifteen or twenty of the strongest men next myself; and judged from my own feelings what must be that of others. Getting about the middle of the plain, the water about mid-deep, I found myself sensibly failing; and as there were no trees nor bushes for the men to support themselves by, I feared that many of the most weak would be drowned. I ordered the canoes to make the land, discharge their loading, and play backwards and forwards with all diligence, and pick up the men; and to encourage the party, sent some of the strongest men forward, with orders, when they got to a certain distance, to pass the word back that the water was getting shallow: and when getting near the woods to cry out “Land!” This stratagem had its

desired effect. The men, encouraged by it, exerted themselves almost beyond their abilities—the weak holding by the stronger. \* \* \* The water never got shallower, but continued deepening. Getting to the woods where the men expected land, the water was up to my shoulders: but gaining the woods was of great consequence: all the low men and the weakly hung to the trees, and floated on the old logs, until they were taken off by the canoes. The strong and tall got ashore and built fires. Many would reach the shore, and fall with their bodies half in the water, not being able to support themselves without it.

“This was a delightful dry spot of ground, of about ten acres. We soon found that the fires answered no purpose; but that two strong men taking a weaker one by the arms was the only way to recover him—and, being a delightful day, it soon did. But fortunately, as if designed by Providence, a canoe of Indian squaws and children was coming up to town, and took through part of this plain as a nigh way. It was discovered by our canoes as they were out after the men. They gave chase and took the Indian canoe, on board of which was near half a quarter of a buffalo, some corn, tallow, kettles, &c. This was a grand prize, and was invaluable. Broth was immediately made and served out to the most weakly, with great care: most of the whole got a little; but a great many gave their part to the weakly, jocosely saying something cheering to their comrades. This little refreshment, and fine weather, by the afternoon gave new life to the whole. Crossing a narrow deep lake in the canoes, and marching some distance, we came to a copse of timber called the Warrior’s Island. We were now in full view of the fort and town, not a shrub between us, at about two miles’ distance. Every man now feasted his eyes, and forgot that he had suffered any thing—saying that all that had passed was owing to good policy, and nothing but what a man could bear; and that a soldier had no right to think, &c.—passing from one extreme to another, which is common in such cases. It was now we had to display our abilities. The plain between us and the town was not a

perfect level. The sunken grounds were covered with water full of ducks. We observed several men out on horseback, shooting them, within a half mile of us; and sent out as many of our active young Frenchmen to decoy and take one of these men prisoner, in such a manner as not to alarm the others; which they did. The information we got from this person was similar to that which we got from those we took on the river; except that of the British having that evening completed the wall of the fort, and that there was a good many Indians in town.

"Our situation was now truly critical—no possibility of retreating in case of defeat—and in full view of a town that had at this time upwards of six hundred men in it, troops, inhabitants, and Indians. The crew of the galley, though not fifty men, would have been now a reinforcement of immense magnitude to our little army, (if I may so call it,) but we would not think of them. We were now in the situation that I had labored to get ourselves in. The idea of being made prisoner was foreign to almost every man, as they expected nothing but torture from the savages, if they fell into their hands. Our fate was now to be determined, probably in a few hours. We knew that nothing but the most daring conduct would ensure success. I knew that a number of the inhabitants wished us well—that many were lukewarm to the interest of either—and I also learned that the Grand Chief, the Tobacco's son, had, but a few days before, openly declared in council with the British, that he was a brother and friend to the Big Knives. These were favorable circumstances; and as there was but little probability of our remaining until dark undiscovered, I determined to begin the career immediately, and wrote the following placard to the inhabitants:

"TO THE INHABITANTS OF POST VINCENNES.

"*Gentlemen:* Being now within two miles of your village, with my army, determined to take your fort this night, and not being willing to surprise you, I take this method to request such of you as are true citizens and willing to enjoy the liberty

I bring you, to remain still in your houses:—And those, if any there be, that are friends to the king, will instantly repair to the fort and join the hair-buyer General, and fight like men. And if any such as do not go to the fort shall be discovered afterwards, they may depend on severe punishment. On the contrary, those who are true friends to liberty may depend on being well treated; and I once more request them to keep out of the streets. For every one I find in arms on my arrival, I shall treat him as an enemy.

[Signed,]

G. R. CLARK.”

“I had various ideas on the supposed results of this letter. I knew that it could do us no damage; but that it would cause the lukewarm to be decided, encourage our friends, and astonish our enemies. \* \* \* We anxiously viewed this messenger until he entered the town; and in a few minutes could discover by our glasses, some stir in every street that we could penetrate into, and great numbers running or riding out into the commons, we supposed to view us, which was the case. But what surprised us was, that nothing had yet happened that had the appearance of the garrison being alarmed—no drum, nor gun. We began to suppose that the information we got from our prisoners was false; and that the enemy already knew of us, and were prepared. \* \* \* A little before sunset we moved and displayed ourselves in full view of the town—crowds gazing at us. We were plunging ourselves into certain destruction, or success. There was no mid-way thought of. We had but little to say to our men, except inculcating an idea of the necessity of obedience, &c. We knew they did not want encouraging; and that any thing might be attempted with them that was possible for such a number—perfectly cool, under proper subordination, pleased with the prospect before them, and much attached to their officers. They all declared that they were convinced that an implicit obedience to orders was the only thing that would ensure success—and hoped that no mercy would be shown the person that should violate them. Such language as this from soldiers, to persons in our situation, must have been exceedingly agreeable. We moved

on slowly in full view of the town; but as it was a point of some consequence to us to make ourselves appear as formidable, we, in leaving the covert that we were in, marched and counter-marched in such a manner that we appeared numerous. In raising volunteers in the Illinois, every person that set about the business had a set of colors given him, which they brought with them, to the amount of ten or twelve pair. These were displayed to the best advantage; and as the low plain we marched through was not a perfect level, but had frequent raisings in it seven or eight feet higher than the common level, (which was covered with water,) and as these raisings generally run in an oblique direction to the town, we took the advantage of one of them, marching through the water under it, which completely prevented our being numbered: but our colors showed considerably above the heights, as they were fixed on long poles procured for the purpose, and at a distance made no despicable appearance: and as our young Frenchmen had, while we lay on the Warrior's Island, decoyed and taken several fowlers, with their horses, officers were mounted on these horses, and rode about more completely to deceive the enemy. In this manner we moved, and directed our march in such a way as to suffer it to be dark before we had advanced more than half way to the town. We then suddenly altered our direction, and crossed ponds where they could not have suspected us, and about eight o'clock gained the heights back of the town. As there was yet no hostile appearance we were impatient to have the cause unriddled. Lieutenant Bayley was ordered with fourteen men to march and fire on the fort. The main body moved in a different direction, and took possession of the strongest part of the town.

“The firing now commenced on the fort; but they did not believe it was an enemy until one of their men was shot down through a port; as drunken Indians frequently saluted the fort after night. The drums now sounded, and the business fairly commenced on both sides. Reinforcements were sent to the attack of the garrison, while other arrangements were making

in town. \* \* \* We now found that the garrison had known nothing of us: that having finished the fort that evening, they had amused themselves at different games, and had just retired before my letter arrived, as it was near roll-call. The placard being made public, many of the inhabitants were afraid to show themselves out of the houses, for fear of giving offence; and not one dare give information.\* Our friends flew to the commons and other convenient places to view the pleasing sight. This was observed from the garrison, and the reason asked, but a satisfactory excuse was given; and as a part of the town lay between our line of march and the garrison, we could not be seen by the sentinels on the walls. Captain W. Shannon and another being some time before taken prisoners by one of their [scouting parties] and that evening brought in, the party had discovered at the Sugar camp some signs of us. They supposed it to be a party of observation that intended to land on the height some distance below the town. Captain Lamotte was sent to intercept them. It was at him the people said they were looking, when they were asked the reason of their unusual stir. Several suspected persons had been taken to the garrison: among them was Mr. Moses Henry. Mrs. Henry went, under the pretence of carrying him provisions, and whispered him the news and what she had seen. Mr. Henry conveyed it to the rest of his fellow prisoners, which gave them much pleasure, particularly Captain Helm, who amused himself very much during the siege, and I believe did much damage.

“Ammunition was scarce with us, as the most of our stores had been put on board of the galley. Though her crew was but few, such a reinforcement to us at this time would have been invaluable in many instances. But, fortunately, at the time of its being reported that the whole of the goods in the town were to be taken for the king’s use, (for which the owners were to receive bills) Colonel Legras, Major Bosseron, and others, had buried the greatest part of their powder and ball.

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\* “The town immediately surrendered with joy and assisted at the siege.”—[Letter (dated Kaskaskia, Illinois, April 29, 1779,) from Col. Clark to the Governor of Virginia.]

This was immediately produced; and we found ourselves well supplied by those gentlemen.

“The Tobacco’s son being in town with a number of warriors, immediately mustered them, and let us know that he wished to join us, saying that by the morning he would have a hundred men. He received for answer that we thanked him for his friendly disposition; and as we were sufficiently strong ourselves, we wished him to desist, and that we would counsel on the subject in the morning; and as we knew that there were a number of Indians in and near the town that were our enemies, some confusion might happen if our men should mix in the dark; but hoped that we might be favored with his counsel and company during the night—which was agreeable to him.

“The garrison was soon completely surrounded, and the firing continued without intermission, (except about fifteen minutes a little before day,) until about nine o’clock the following morning. It was kept up by the whole of the troops,—joined by a few of the young men of the town, who got permission—except fifty men kept as a reserve. \* \* \* I had made myself fully acquainted with the situation of the fort and town, and the parts relative to each. The cannon of the garrison was on the upper floors of strong block-houses at each angle of the fort, eleven feet above the surface; and the ports so badly cut that many of our troops lay under the fire of them within twenty or thirty yards of the walls. They did no damage except to the buildings of the town, some of which they much shattered: and their musketry, in the dark, employed against woodsmen covered by houses, pailings, ditches, the banks of the river, &c., was but of little avail, and did no injury to us except wounding a man or two. As we could not afford to lose men, great care was taken to preserve them sufficiently covered, and to keep up a hot fire in order to intimidate the enemy as well as to destroy them. The embrasures of their cannon were frequently shut, for our riflemen, finding the true direction of them, would pour in such volleys when they were opened that the men could not stand to the guns:

seven or eight of them in a short time got cut down. Our troops would frequently abuse the enemy, in order to aggravate them to open their ports and fire their cannon, that they might have the pleasure of cutting them down with their rifles—fifty of which perhaps would be levelled the moment the port flew open: and I believe that if they had stood at their artillery the greater part of them would have been destroyed in the course of the night, as the greater part of our men lay within thirty yards of the walls; and in a few hours were covered equally to those within the walls, and much more experienced in that mode of fighting. \* \* \* Sometimes an irregular fire, as hot as possible, was kept up from different directions for a few minutes, and then only a continual scattering fire at the ports as usual; and a great noise and laughter immediately commenced in different parts of the town, by the reserved parties, as if they had only fired on the fort a few minutes for amusement; and as if those continually firing at the fort were only regularly relieved. Conduct similar to this kept the garrison constantly alarmed. They did not know what moment they might be stormed or [blown up?] as they could plainly discover that we had flung up some entrenchments across the streets, and appeared to be frequently very busy under the bank of the river, which was within thirty feet of the walls. The situation of the magazine we well knew. Captain Bowman began some works in order to blow it up, in case our artillery should arrive: but as we knew that we were daily liable to be overpowered by the numerous bands of Indians on the river, in case they had again joined the enemy, (the certainty of which we were unacquainted with,) we resolved to lose no time, but to get the fort in our possession as soon as possible. If the vessel did not arrive before the ensuing night, we resolved to undermine the fort, and fixed on the spot and plan of executing this work, which we intended to commence the next day.

“The Indians of different tribes that were inimical had left the town and neighborhood. Captain Lamotte continued to hover about it, in order, if possible, to make his way good into

the fort. Parties attempted in vain to surprise him. A few of his party were taken, one of which was Maisonville, a famous Indian partizan. Two lads that captured him, tied him to a post in the street, and fought from behind him as a breast-work—supposing that the enemy would not fire at them for fear of killing him, as he would alarm them by his voice. The lads were ordered, by an officer who discovered them at their amusement, to untie their prisoner, and take him off to the guard, which they did; but were so inhuman as to take part of his scalp on the way; there happened to him no other damage. As almost the whole of the persons who were most active in the Department of Detroit, were either in the fort or with Captain Lamotte, I got extremely uneasy, for fear that he would not fall into our power; knowing that he would go off, if he could not get into the fort in the course of the night. Finding that, without some unforeseen accident, the fort must inevitably be ours, and that a reinforcement of twenty men, although considerable to them, would not be of great moment to us in the present situation of affairs, and knowing that we had weakened them by killing or wounding many of their gunners, after some deliberation, we concluded to risk the reinforcement in preference of his going again among the Indians: the garrison had at least a month's provisions, and if they could hold out, in the course of that time he might do us much damage. A little before day the troops were withdrawn from their positions about the fort, except a few parties of observation, and the firing totally ceased. Orders were given, in case of Lamotte's approach, not to alarm or fire on him, without a certainty of killing or taking the whole. In less than a quarter of an hour he passed within ten feet of an officer and a party that lay concealed. Ladders were flung over to them, and as they mounted them our party shouted; many of them fell from the top of the walls—some within, and others back; but as they were not fired on they all got over, much to the joy of their friends. But, on considering the matter they must have been convinced that it was a scheme of ours, to let them in; and that we were so strong as to care but little about them

or the manner of their getting into the garrison. \* \* \* The firing immediately commenced on both sides with double vigor; and I believe that more noise could not have been made by the same number of men: their shouts could not be heard for the fire arms; but a continual blaze was kept around the garrison, without much being done, until about day-break, when our troops were drawn off to posts prepared for them, about sixty or seventy yards from the fort. A loop-hole then could scarcely be darkened but a rifle ball would pass through it. To have stood to their cannon would have destroyed their men, without a probability of doing much service. Our situation was nearly similar. It would have been imprudent in either party to have wasted their men, without some decisive stroke required it.

“Thus the attack continued, until about nine o'clock on the morning of the 24th. Learning that the two prisoners they had brought in the day before, had a considerable number of letters with them, I supposed it an express that we expected about this time, which I knew to be of the greatest moment to us, as we had not received one since our arrival in the country: and not being fully acquainted with the character of our enemy, we were doubtful that those papers might be destroyed; to prevent which, I sent a flag, [with a letter,] demanding the garrison.”

The following is a copy of the letter\* which was addressed by Colonel Clark to Lieutenant Governor Hamilton, on this occasion:

“SIR: In order to save yourself from the impending storm that now threatens you, I order you immediately to surrender yourself, with all your garrison, stores, &c. &c. For if I am obliged to storm, you may depend on such treatment as is justly due to a murderer. Beware of destroying stores of any kind, or any papers or letters that are in your possession, or hurting one house in town—for, by Heavens! if you do, there shall be no mercy shown you.

[Signed,]

G. R. CLARK.”

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\*Extracted from Major Bowman's MS. Journal.

The British commandant immediately returned the following answer:

“Lieutenant Governor Hamilton begs leave to acquaint Colonel Clark, that he and his garrison are not disposed to be awed into any action unworthy British subjects.”

“The firing, then,” says Clark, “commenced warmly for a considerable time; and we were obliged to be careful in preventing our men from exposing themselves too much, as they were now much animated—having been refreshed during the flag. They frequently mentioned their wishes to storm the place, and put an end to the business at once. \* \* \* \* The firing was heavy through every crack that could be discovered in any part of the fort. Several of the garrison got wounded; and no possibility of standing near the embrasures. Towards the evening a flag appeared with the following proposals:

“Lieutenant Governor Hamilton proposes to Colonel Clark a truce for three days; during which time he promises there shall be no defensive works carried on in the garrison, on condition that Colonel Clark shall observe on his part, a like cessation of any defensive work: that is, he wishes to confer with Colonel Clark as soon as can be; and promises that whatever may pass between them two, and another person mutually agreed upon to be present, shall remain secret till matters be finished, as he wishes, that whatever the result of the conference may be, it may tend to the honor and credit of each party. If Colonel Clark makes a difficulty of coming into the fort, Lieutenant Governor Hamilton will speak to him by the gate. [Signed,] HENRY HAMILTON.

24th February, '79.”

“I was at a great loss to conceive what reason Lieutenant Governor Hamilton could have for wishing a truce of three days, on such terms as he proposed. Numbers said it was a scheme to get me into their possession. I had a different opinion, and no idea of his possessing such sentiments; as an act of that kind would infallibly ruin him. Although we had the greatest reason to expect a reinforcement in less than three

days that would at once put an end to the siege, I yet did not think it prudent to agree to the proposals; and sent the following answer:

"Colonel Clark's compliments to Lieutenant Governor Hamilton, and begs leave to inform him that he will not agree to any terms other than Mr. Hamilton's surrendering himself and garrison prisoners at discretion. If Mr. Hamilton is desirous of a conference with Colonel Clark, he will meet him at the church, with Captain Helm.

[Signed,]

G. R. C.

February 24th, '79."

"We met at the church,\* about eighty yards from the fort—Lieutenant Governor Hamilton, Major Hay, Superintendent of Indian Affairs, Captain Helm, their prisoner, Major Bowman and myself. The conference began. Hamilton produced terms of capitulation, signed, that contained various articles, one of which was that the garrison should be surrendered, on their being permitted to go to Pensacola on parole. After deliberating on every article, I rejected the whole. He then wished that I would make some proposition. I told him that I had no other to make, than what I had already made—that of his surrendering as prisoners at discretion. I said that his troops had behaved with spirit—that they could not suppose that they would be worse treated in consequence of it—that if he chose to comply with the demand, though hard, perhaps the sooner the better—that it was in vain to make any proposition to me—that he, by this time, must be sensible that the garrison would fall—that both of us must [view?] all blood spilt for the future by the garrison as murder—that my troops

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\*During the conference at the church, some Indian warriors who had been sent to the Falls of the Ohio, for scalps and prisoners, were discovered on their return, as they entered the plains near Post Vincennes. A party of the American troops, commanded by Captain Williams, went out to meet them. The Indians, who mistook this detachment for a party of their friends, continued to advance "with all the parade of successful warriors." "Our men," says Major Bowman, "killed two on the spot; wounded three; took six prisoners, and brought them into town. Two of them proving to be whites, we released them, and brought the Indians to the main street, before the fort gate—there tomahawked them, and threw them into the river."—[Major Bowman's MS. Journal.

were already impatient, and called aloud for permission to tear down and storm the fort: if such a step was taken, many of course would be cut down; and the result of an enraged body of woodsmen breaking in, must be obvious to him: it would be out of the power of an American officer to save a single man. Various altercation took place for a considerable time. Captain Helm attempted to moderate our fixed determination. I told him he was a British prisoner, and it was doubtful whether or not he could with propriety speak on the subject. Hamilton then said that Captain Helm was from that moment liberated, and might use his pleasure. I informed the Captain that I would not receive him on such terms—that he must return to the garrison, and await his fate. I then told Lieut. Governor Hamilton that hostilities should not commence until five minutes after the drums gave the alarm. We took our leave, and parted but a few steps, when Hamilton stopped, and politely asked me if I would be so kind as to give him my reasons for refusing the garrison on any other terms than those I had offered. I told him I had no objections in giving him my real reasons, which were simply these: that I knew the greater part of the principal Indian partizans of Detroit were with him—that I wanted an excuse to put them to death, or otherwise treat them, as I thought proper—that the cries of the widows and the fatherless on the frontiers, which they had occasioned, now required their blood from my hands, and that I did not chose to be so timorous as to disobey the absolute commands of their authority, which I looked upon to be next to divine: that I would rather lose fifty men, than not to empower myself to execute this piece of business with propriety: that if he chose to risk the massacre of his garrison for their sakes, it was his own pleasure; and that I might perhaps take it into my head to send for some of those widows to see it executed. Major Hay, paying great attention, I had observed a kind of distrust in his countenance, which in a great measure influenced my conversation during this time. On my concluding, “Pray, sir,” said he, “who is it that you call Indian partizans?” “Sir,” I replied, “I take Major Hay to be one of

the principal." I never saw a man in the moment of execution so struck as he appeared to be—pale and trembling, scarcely able to stand. Hamilton blushed—and, I observed was much affected at his behavior. Major Bowman's countenance sufficiently explained his disdain for the one and his sorrow for the other. \* \* \* Some moments elapsed without a word passing on either side. From that moment my resolutions changed respecting Hamilton's situation. I told him that we would return to our respective posts; that I would reconsider the matter, and let him know the result: no offensive measures should be taken in the mean time. Agreed to; and we parted. What had passed being made known to our officers, it was agreed that we should moderate our resolutions."

In the course of the afternoon of the 24th, the following articles\* were signed, and the garrison capitulated:

I.—Lieutenant Governor Hamilton engages to deliver up to Colonel Clark, Fort Sackville, as it is at present, with all the stores, &c.

II.—The garrison are to deliver themselves as prisoners of war; and march out with their arms and accoutrements, &c.

III.—The garrison to be delivered up at ten o'clock tomorrow.

IV.—Three days time to be allowed the garrison to settle their accounts with the inhabitants and traders of this place.

V.—The officers of the garrison to be allowed their necessary baggage, &c.

Signed at Post St. Vincent, [Vincennes,] 24th Feb'y., 1779.

Agreed for the following reasons: The remoteness from succor; the state and quantity of provisions, &c.; unanimity of officers and men in its expediency; the honorable terms allowed; and lastly, the confidence in a generous enemy.

[Signed,]

HENRY HAMILTON,

Lt. Gov. and Superintendent."

"The business being now nearly at an end, troops were posted in several strong houses around the garrison, and patrolled during the night to prevent any deception that might be

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\*Major Bowman's MS. Journal.

attempted. The remainder on duty lay on their arms; and, for the first time for many days past, got some rest. \* \* \* \*  
During the siege I got only one man wounded: not being able to lose many, I made them secure themselves well. Seven were badly wounded in the fort, through ports. \* \* \* Almost every man had conceived a favorable opinion of Lieutenant Governor Hamilton—I believe what affected myself made some impression on the whole—and I was happy to find that he never deviated, while he stayed with us, from that dignity of conduct that became an officer in his situation. The morning of the 25th approaching, arrangements were made for receiving the garrison; [which consisted of seventy-nine men,] and about ten o'clock it was delivered in form; and every thing was immediately arranged to the best advantage. \* \* \*  
On the 27th our galley arrived, all safe—the crew much mortified, although they deserved great credit for their diligence. They had on their passage taken up William Myres, express from government. The despatches gave much encouragement: our own battalion was to be completed, and an additional one to be expected in the course of the spring.”

## CHAPTER IX.

ON the day after the surrender of the British garrison at Post Vincennes, Colonel Clark sent a detachment of sixty men up the river Wabash to intercept some boats which were laden with provisions and goods from Detroit. The detachment, under the command of Captain Helm, Major Bosseron, and Major Legras, proceeded up the river, in three armed boats, about one hundred and twenty miles, when the British boats, seven in number, were surprised and captured without firing a gun. These boats, which had on board about ten thousand pounds worth of goods and provisions, were manned by about forty men, among whom was Philip Dejean, a magistrate of Detroit.

“The provisions,” says Clark, “were taken for the public, and the goods divided among the whole, except about £800 worth to clothe the troops we expected to receive in a short time. This was very agreeable to the soldiers, as I told them that the state should pay them in money their proportions, and that they had great plenty of goods. \* \* \* We yet found ourselves uneasy. The number of prisoners we had taken, added to those of the garrison, was so considerable when compared to our own numbers, that we were at a loss how to dispose of them, so as not to interfere with our future operations. Detroit opened full in our view. In the fort at that place there were not more than eighty men—a great part of them invalids—and we were informed that many of the principal inhabitants were disaffected to the British cause. The Indians on our route we knew would now more than ever be cool towards the English. \* \* \* We could now augment our forces in this

quarter to about four hundred men, as near half the inhabitants of Post Vincennes would join us. Kentucky, we supposed, could immediately furnish two hundred men, as there was a certainty of receiving a great addition of settlers in the spring. With our own stores, which we had learned were safe on their passage, added to those of the British, there would not be a single article wanting for an expedition against Detroit. We privately resolved to embrace the object that seemed to court our acceptance, without delay—giving the enemy no time to recover from the blows they had received: but we wished it to become the object of the soldiery and the inhabitants before we should say any thing about it. It immediately became the common topic among them; and in a few days they had arranged things, so that they were, in their imaginations, almost ready to march. They were discountenanced in such conversation, and such measures were taken as tended to show that our ideas were foreign from such an attempt; but at the same time we were taking every step to pave our way.

“The quantity of public goods brought from Detroit added to the whole of those belonging to the traders of Post Vincennes, that had been taken, was very considerable. The whole was divided among the soldiery, except some Indian medals that were kept, in order to be altered for public use. The officers received nothing, except a few articles of clothing that they stood in need of. The soldiers got almost rich. Others envied their good fortune, and wished that some enterprise might be undertaken, to enable them to perform some exploit. Detroit was their object. The clamor had now got to a great height: to silence it, and to answer other purposes, they were told that an army was to march the ensuing summer from Pittsburgh to take possession of Detroit. \* \* \*

On the 7th of March, Captains Williams and Rogers set out by water with a party of twenty-five men, to conduct the British officers to Kentucky; and, farther to weaken the prisoners, eighteen privates were also sent. After their arrival at the Falls of the Ohio, Captain Rogers had instructions to superintend their route to Williamsburgh, to furnish them

with all necessary supplies on their way, and to await the orders of the Governor.\*

“Poor Myres, the express, who set out on the 15th, got killed on his passage, and his packet fell into the hands of the enemy; but I had been so much on my guard that there was not a sentence in it that could be of any disadvantage to us for the enemy to know: and there were private letters from soldiers to their friends, designedly wrote to deceive in case of such accidents. This was customary with us as our expresses were frequently surprised. I sent a second despatch to the Governor, giving him a short but full account of what had passed, and our views. I sent letters to the commandant of Kentucky, directing him to give me a certain but private account of the number of men he could furnish in June.”

Early in the month of March “I laid before the officers my plans for the reduction of Detroit, and explained the almost certainty of success, and the probability of keeping possession of it until we could receive succor from the states. If we awaited the arrival of the troops mentioned in the despatches from the Governor of Virginia, the enemy in the meantime might get strengthened; and probably we might not be so capable of carrying the [post] with the expected reinforcement, as we should be with our present force, in case we were to make the attempt at this time: and in case we should be disappointed in the promised reinforcement, we might not be able to effect it at all. There were various arguments made use of on this delicate point. Every person seemed anxious to improve the present opportunity; but prudence appeared to forbid the execution, and induced us to wait for the reinforcement. The arguments that appeared to have the greatest weight were, that with such a force we might march boldly

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\*On the advice of his Council, the Governor of Virginia, on the 18th of June, 1779, ordered Hamilton, Lamotte, and Dejean, to be “put into irons, confined in the dungeon of the public jail, debarred the use of pen, ink, and paper, and excluded all converse except with their keeper.” On the 29th of September, 1779, an order was issued by the Governor to send the said prisoners to Hanover Court House, there to remain, on their parole, within certain reasonable limits. Orders were also issued to send Major John Hay, under parole, to the same place.—[Jefferson's Correspondence, i, 455.]

through the Indian nations—that it would make a great [impression] on them, as well as the inhabitants of Detroit, and have a better effect than if we were now to slip off, and take the place with so small a force—that the British would not wish to weaken Niagara by sending any considerable reinforcements to Detroit—that it was more difficult for that post to get succor from Canada, than it was for us to receive it from the states—that the garrison at Detroit would not be able to get a reinforcement in time to prevent our executing our designs, as we might with propriety expect ours in a few weeks:—In short, the enterprise was deferred until the — of June, when our troops were to rendezvous at Post Vincennes. In the meantime every preparation was to be made, procuring provisions, &c. — and, to blind our designs, the whole, except a small garrison should march immediately to the Illinois; and orders were sent to Kentucky to prepare themselves to meet at the appointed time. This was now our proposed plan, and directed our operations during the spring.

“A company of volunteers from Detroit, mostly composed of young men, was drawn up; and when expecting to be sent off into a strange country, they were told that we were happy to learn that many of them were torn from their fathers and mothers and forced on this expedition: others, ignorant of the true cause in contest, had engaged from a principle that actuates a great number of men, that of being fond of enterprise; but that they now had a good opportunity to make themselves fully acquainted with the nature of the war, which they might explain to their friends—and that as we knew that sending them to the states, where they would be confined in a jail probably for the course of the war, would make a great number of our friends at Detroit unhappy, we had thought proper, for their sakes, to suffer them to return home, &c. A great deal more was said to them on this subject. On the whole they were discharged on taking an oath not to bear arms against America until exchanged. They received an order for their arms, boats, and provisions, to return with; the boats were to be sold and divided among them when they got home. In a

few days they set out; and as we had spies who went among them as traders, we learned that they made great havoc to the British interest, on their return to Detroit—publicly saying that they had taken an oath not to fight against Americans, but they had not sworn not to fight for them, &c.—and matters were carried to a such a height that the commanding officer thought it prudent not to take notice of any thing that was said or done. Mrs. McComb, who kept a noted boarding house, I understand, had the assurance to show him the stores she had provided for the Americans. This was the completion of our design in suffering the company to return. Many others that we could trust, we suffered to enlist in the cause; so that our charge of prisoners was much reduced.

“I had yet sent no message to the Indian tribes, wishing to wait to see what effect all this would have on them. The Piankeshaws, being of the tribe of the Tobacco’s son, were always familiar with us. Part of the behavior of this grandee, as he viewed himself, was diverting enough. He had conceived such an inviolable attachment for Captain Helm, that on finding that the Captain was a prisoner, and not being as yet able to release him, he declared himself a prisoner also. He joined his brother, as he called Captain Helm, and continually kept with him, condoling their condition as prisoners in great distress—at the same time wanting nothing that was in the power of the garrison to furnish. Lieutenant Governor Hamilton knowing the influence of Tobacco’s son, was extremely jealous of his behavior, and took every pains to gain him by presents, &c. When any thing was presented to him, his reply would be that it would serve him and his brother to live on. He would not enter into council, saying that he was a prisoner and had nothing to say; but was in hopes that when the grass grew his brother, the Big Knife, would release him; and when he was free, he could talk, &c. In short, they could do nothing with him; and the moment he heard of our arrival, he paraded all the warriors he had in his village (joining Post Vincennes,) and was ready to fall in and attack the fort; but for reasons formerly mentioned, he was desired to desist.

“On the 15th of March, 1779, a party of upper Piankeshaws, and some Pottawattamie and Miami chiefs made their appearance, making great protestations of their attachment to the Americans; begged that they might be taken under the cover of our wings, and that the roads through the lands might be made straight, and all the stumbling blocks removed; and that their friends, the neighboring nations, might also be considered in the same point of view. I well knew from what principle all this sprung; and, as I had Detroit now in my eye, it was my business to make a straight and clear road for myself to walk, without thinking much of their interest, or any thing else but that of opening the road in earnest, by flattery, deception, or any other means that occurred. I told them that I was glad to see them, and was happy to learn that most of the nations on the Wabash and Omi [Maumee] rivers had proved themselves to be men, by adhering to the treaties they had made with the Big Knife last fall, except a few weak minds that had been deluded by the English to come to war—that I did not know exactly who they were, nor much cared; but understood they were a band chiefly composed of almost all the tribes—such people were to be found among all nations—but as these kind of people, who had the meanness to sell their country for a shirt, were not worthy of the attention of warriors, we would say no more about them, and think on subjects more becoming us. I told them that I should let the great Council of Americans know of their good behavior, and knew that they would be counted as friends of the Big Knife, and would be always under their protection, and their country secured to them, as the Big Knife had land enough, and did not want any more:—but, if ever they broke their faith, the Big Knife would never again trust them, as they never hold friendship with a people that they find with two hearts:—that they were witnesses of the calamities the British had brought on their countries by their false assertions, and their presents, which was a proof of their weakness; that they saw that all their boasted valor was like to fall to the ground, and they would not come out of the fort, the other day, to try to save

the Indians that they flattered to war, and suffered to be killed in their sight: and, as the nature of the war had been fully explained to them last fall, they might clearly see that the Great Spirit would not suffer it to be otherwise—that it was not only the case on the Wabash, but every where else—that they might be assured that the nations that would continue obstinately to believe the English, would be driven out of the land, and their countries given to those who were more steady friends to the Americans. I told them that I expected, for the future, that if any of my people should be going to war through their country, that they would be protected, which should be always the case with their people when among us; and that mutual confidence should continue to exist, &c. &c. They replied, that from what they had seen and heard, they were convinced that the Master of Life had a hand in all things—that their people would rejoice on their return—that they would take pains to diffuse what they had heard, through all the nations, and made no doubt of the good effect of it, &c.—and after a long speech in the Indian style, calling all the Spirits to be witnesses, they concluded by renewing the chain of friendship, smoking the sacred pipe, exchanging belts, &c. and, I believe, went off really well pleased—(but not able to fathom the bottom of all they had heard, the greatest part of which was mere political lies)—for, the ensuing summer, Captain Shelby, with his own company only, lay for a considerable time in the Wea town, in the heart of their country, and was treated in the most friendly manner by all the natives that he saw; and was frequently invited by them to join and plunder what was called “the King’s Pasture at Detroit.” What they meant was to go and steal horses from that settlement.

“Things being now pretty well arranged, Lieutenant Richard Brashear was appointed to the command of the garrison, which consisted of Lieutenants Bayley and Chapline, with forty picked men—Captain Leonard Helm, commandant of the town, superintendent of Indian Affairs, &c.—Moses Henry, Indian Agent, and Patrick Kennedy, Quartermaster. Giving necessary instruction to all persons that I left in office, on the

20th of March I set sail on board of our galley, which was now made perfectly complete, attended by five armed boats, and seventy men. The waters being very high, we soon reached the Mississippi; and the winds favoring us, in a few days we arrived safely at Kaskaskia, to the great joy of our new friends, Captain George and company waiting to receive us.

“On our passage up the Mississippi we had observed several Indian camps, which appeared to us fresh, but had been left in great confusion. This we could not account for, but were now informed that a few days past a party of Delaware warriors came to town, and appeared to be very impudent—that in the evening, having been drinking, they said they had come there for scalps and would have them, and flashed a gun at the breast of an American woman present. A sergeant and party that moment passing by the house, saw the confusion and rushed in: the Indians immediately fled: the sergeant pursued and killed [ ] of them. A party was instantly sent to rout their camps on the river. This was executed the day before we came up, which was the sign we had seen.

“Part of the Delaware nation had settled a town at the forks of the White River, and hunted in the countries on the Ohio and Mississippi. They had, on our first arrival, hatched up a kind of peace with us; but I always knew they were for open war; but never before could get a proper excuse for exterminating them from the country, which I knew they would be loth to leave, and that the other Indians wished them away, as they were great hunters and killed up their game. A few days after this, Captain Helm informed me, by express, that a party of traders who were going by land to the falls, were killed and plundered by the Delawares of White River—and that it appeared that their designs were altogether hostile, as they had received a belt from the great council of their nation. I was sorry for the loss of our men; otherwise pleased at what had happened; as it would give me an opportunity of showing the other Indians the horrid fate of those who would dare to make war on the Big Knife—and to excel them in barbarity

I knew was, and is, the only way to make war and gain a name among the Indians. I immediately sent orders to Post Vincennes to make war on the Delawares—to use every means in their power to destroy them—to show no kind of mercy to the men; but to spare the women and children. This order was executed without delay; their camps were attacked in every quarter where they could be found—many fell, and others were brought to Post Vincennes and put to death—the women and children secured, &c. They immediately applied for reconciliation; but were informed that I had ordered the war \* \* \* and that they dare not lay down the tomahawk without permission from me: but that if the Indians were agreed, no more blood should be spilt, until an express should go to Kaskaskia, which was immediately sent. I refused to make peace with the Delawares, and let them know that we never trusted those who had once violated their faith; but that if they had a mind to be quiet, they might; and if they could get any of the neighboring Indians to be security for their good behavior, I would let them alone; but that I cared very little about it, &c.—privately directing Captain Helm how to manage.

“A council was called of all the Indians in the neighborhood; my answer was made public; the Piankeshaws took on themselves to answer for the future good conduct of the Delawares; and the Tobacco’s son, in a long speech, informed them of the baseness of their conduct, and how richly they had deserved the severe blow they had met with—that he had given them permission to settle that country, but not kill his friends—that they now saw the Big Knife had refused to make peace with them; but that he had become surety for their good conduct, and that they might go and mind their hunting—and that if they ever did any more mischief—pointing to the sacred bow that he held in his hand—which was as much as to say that he himself would for the future chastise them. Thus ended the war between us and the Delawares in this quarter much to our advantage; as the nations about said that we were as brave as the Indians, and not afraid to put an enemy to death.

"June being the time for the rendezvous at Post Vincennes, every exertion was made in procuring provisions of every species, and making other preparations. I received an express from Kentucky, wherein Colonel [John] Bowman informed me that he could furnish three hundred good men. We were now going on in high spirits, and daily expecting troops down the Tennessee; when, on the —, we were surprised at the arrival of Colonel Montgomery with one hundred and fifty men only—which was all we had a right to expect from that quarter in a short time, as the recruiting business went on but slowly; and, for the first time, we learned the fall of our paper money. Things immediately put on a different appearance. We now lamented that we did not march from Post Vincennes to Detroit; but as we had a prospect of a considerable reinforcement from Kentucky, we yet flattered ourselves that something might be done: at least we might manœuvre in such a manner as to keep the enemy in hot water, and in suspense, and prevent their doing our frontiers much damage. We went on with procuring supplies,\* and did not yet lose sight of our object; and, in order to feel the pulse of the enemy, I detached Major —, who had lately joined us, and a company of volunteers, up the Illinois river—under the pretence of visiting our friends; he was instructed to cross the country, and call at the Wea towns, and then proceed to Post Vincennes, making his observations on the route. This we expected would perfectly cover our designs; and, if we saw it prudent, we might on his return proceed. Early in June Colonel Montgomery was despatched by water with the whole of our stores:

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\* "There is one circumstance very distressing, that of our money's being discredited; to all intents and purposes, by the great number of traders who come here in my absence, each outbidding the other, giving prices unknown in this country by five hundred per cent., by which the people conceived it to be of no value, and both French and Spaniards refused to take a farthing of it. Provision is three times the price it was two months past, and to be got by no other means than my own honds, goods, or force. Several merchants are now advancing considerable sums of their own property, rather than the service should suffer, by which I am sensible they must lose greatly, unless some method is taken to raise the credit of our coin, or a fund to be sent to Orleans, for the payment of the expenses of this place."—[Letter, dated Kaskaskia, April 29, 1779, from Col. G. R. Clark to the Governor of Virginia.—Jefferson's Correspondence, i, 454.]

Major [Joseph] Bowman marched the remainder of our troops by land. Myself, with a party of horse, reached Post Vincennes in four days, where the whole safely arrived in a short time after.

“Instead of three hundred men from Kentucky, there appeared about thirty volunteers, commanded by Capt. McGary. The loss of the expedition was too obvious to hesitate about it. Colonel [John] Bowman had turned his attention against the Shawanees towns, and got repulsed, and his men discouraged.

“The business, from the first had been so conducted as to make no disadvantageous impression on the enemy, in case of a disappointment—as they could never know whether we really had a design on Detroit, or only a finesse to amuse them, which latter would appear probable. Arranging things to the best advantage was now my principal study. The troops were divided between Post Vincennes, Kaskaskia, Cahokia, and the Falls of Ohio. Colonel Montgomery was appointed to the command of the Illinois; Major Bowman to superintend the recruiting business; a number of officers were appointed to that service; and myself to take up my quarters at the falls, as the most convenient spot to have an eye over the whole.”

Thus closes the detail of Colonel Clark's proceedings at Post Vincennes.

## CHAPTER X.

DURING the years 1779 and 1780, many causes contributed to attract a great number of emigrants from the interior of Virginia, and from other states, to the fertile district of Kentucky.\* Among these causes it is proper to reckon the achievements of Colonel Clark in the west, the temporary triumph of the British arms in some of the southern states, and the munificent spirit in which the government of Virginia invited adventurous families to take possession of the rich unappropriated lands which it claimed in the regions west of the Allegheny mountains. The danger which surrounded the first English settlers in these regions began to abate. The ancient French inhabitants of the new county of Illinois had taken the oath of allegiance to the state of Virginia. In July, 1778, the Congress of the United States directed Brigadier General McIntosh to collect at Pittsburgh a force of fifteen hundred men for the defence of the western frontiers: and on the 17th of September, 1778, a treaty of peace, friendship, and alliance was concluded, at Fort Pitt, between commissioners in behalf of the United States, and the chief men and deputies of the Delaware nation of Indians.†

In the spring of 1779, Colonel John Todd, bearing the commission of County Lieutenant for the county of Illinois, visited Post Vincennes and Kaskaskia for the purpose of organizing a temporary government according to the provisions of the act of the General Assembly of Virginia, of October, 1778. On

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\*Three hundred large family boats arrived at the Falls of the Ohio, during the spring of 1780.—[Butler's History of Kentucky, 99.

†Laws United States, i, 302.

the 15th of June, 1779, Mr. Todd issued the following proclamation:

*“Illinois [county,] to wit:—* Whereas, from the fertility and beautiful situation of the lands bordering upon the Mississippi, Ohio, Illinois, and Wabash rivers, the taking up the usual quantity of land heretofore allowed for a settlement by the government of Virginia, would injure both the strength and commerce of this country—I do, therefore, issue this proclamation, strictly enjoining all persons whatsoever from making any new settlements upon the flat lands of the said rivers, or within one league of said lands, unless in manner and form of settlements as heretofore made by the French inhabitants, until further orders herein given. And in order that all the claims to lands in said county may be fully known, and some method provided for perpetuating by record the just claims, every inhabitant is required, as soon as conveniently may be, to lay before the person in each district appointed for that purpose, a memorandum of his or her land, with copies of all their vouchers; and where vouchers have never been given, or are lost, such depositions or certificates as will tend to support their claims:—the memorandum to mention the quantity of land, to whom originally granted, and when—deducing the title through the various occupants to the present possessor.

The number of adventurers who will shortly overrun this country renders the above method necessary as well to ascertain the vacant lands as to guard against trespasses which will probably be committed on lands not of record.

Given under my hand and seal at Kaskaskia, the 15th of June, in the third year of the Commonwealth, 1779.

JOHN TODD, Jr.”

For the preservation of peace and the administration of justice a court of civil and criminal jurisdiction was instituted at Post Vincennes, in June, 1779. The court was composed of several magistrates. Colonel J. M. P. Legras, having been appointed commandant of the town, acted as president of the court, and in some cases exercised a controlling influence over its proceedings. Adopting in some measure the usages and

customs of the early French commandants, the magistrates of the Court of Post Vincennes began to grant or concede tracts of land to the French and American inhabitants of the town, and to different civil and military officers of the country. Indeed it appears that the court assumed the power of granting lands to every applicant. Before the year 1783, about twenty-six thousand acres of land were granted to different individuals. From 1783 to 1787, when the practice was stopped by General Harmar, the grants amounted to twenty-two thousand acres.\* They were given in tracts varying in quantities from four hundred acres to the size of a house lot. Besides these small concessions there were some grants of tracts several leagues square. The commandant and magistrates, after having exercised this power for some time began to believe that they had the right to dispose of all that large tract of land which, in 1742, had been granted by the Piankeshaw Indians, for the use of the French inhabitants of Post Vincennes. "Accordingly an arrangement was made, by which the whole country to which the Indian title was supposed to be extinguished, was divided between the members of the court, and orders to that effect entered on their journal: each member absenting himself from the court on the day that the order was to be made in his favor, so that it might appear to be the act of his fellows only."†

From 1779 to 1787 the white population of the county of Illinois, and the Indian tribes of the territory northwest of the Ohio, were kept in a state of incertitude, excitement, and alarm, by a succession of events which shall now be briefly noticed in their proper order.

I.—In June, 1779,‡ Colonel John Bowman led a force of three hundred men from Kentucky against an Indian town on the Little Miami river. In this expedition Benjamin Logan, John Holder, James Harrod, and John Bulger, were captains. The expedition "arrived within a short distance of the town, near night, and halted. It was then determined to make the

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\*Letter, written in 1790, from Winthrop Sargent to George Washington.

†Letter, dated Vincennes, January 19, 1802, from Gov. Harrison to James Madison.

‡Jefferson's Correspondence, i, 163.

attack by day-break: For this purpose, Captain Logan was detached to encircle the town on one side, while Bowman was to surround it on the other, and to give the signal of assault. Logan immediately executed his part of the plan, and waited for his superior officers. Day began to break, and still there was no appearance of the detachment in front. Logan in the mean time ordered his men to conceal themselves in the grass and the weeds. The men, in shifting about for hiding places, alarmed one of the enemy's dogs, whose barking soon brought out an Indian to discover the cause of the alarm. At this moment one of Logan's men discharged his gun: the Indian aware that it proceeded from an enemy, gave an instantaneous and loud whoop, and ran immediately to his cabin. The alarm was now spread; but still the time was not too late for an energetic attack. Logan could see the women and children escaping to the woods by a ridge between his party and the other detachment."\* The Indians made a vigorous defence; and the party under Colonel Bowman were forced to retreat to Kentucky, with a loss of eight or nine men killed. The loss of the Indians has not been recorded.

II.—In the spring of 1780, an expedition commanded by Captain Byrd set out from Detroit to attack the settlements in Kentucky. This expedition, having some small pieces of artillery, proceeded in boats as far as it could ascend the Maumee river. It moved thence, by land to the Big Miami, down that river to the Ohio, and up the Ohio to the mouth of Licking river. From this point, with a force amounting to about six hundred men, principally Indians, Captain Byrd moved up the Licking, as far as the junction of the south fork of that stream. Being then in the vicinity of Martin's and Ruddell's stations, he appeared before those places about the 22d of June. The settlers, being surprised by an overwhelming force, "surrendered at discretion." The Indians plundered the stations, and took possession of the prisoners, some of whom were massacred, while others were carried into captivity. Immediately after the reduction of these two inconsiderable stations, Cap-

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\*Butler's History Kentucky, 108.

tain Byrd, although no force appeared to oppose him, commenced a precipitate retreat from Kentucky. Various causes have been assigned for this sudden movement: some writers have attributed it to the weak and vacillating character of Byrd: others say, that "shocked by the irrepressible barbarities of the Indians, he determined to arrest his expedition, and return to Detroit."

III.—Soon after the retreat of Captain Byrd, General George Rogers Clark raised, in Kentucky, an army of about one thousand men, for the purpose of carrying an expedition against the Indian villages on the Little Miami and the Big Miami rivers. The army moved from the mouth of Licking river about the 2d of August, 1780; and after a march of four days it reached the principal Chillicothe village on the banks of the Little Miami. The Indians had deserted the place and retired to the Piqua town on the Big Miami. The troops under General Clark, after cutting down the growing corn about the Chillicothe village and destroying several Indian huts, marched for the Piqua town. This town extended along the margin of the river two or three miles; the huts in some cases being more than one hundred yards apart. As the Kentuckians advanced upon the town, they were suddenly attacked by a considerable number of Indians: but the latter, after maintaining an obstinate conflict for some time, were at last overpowered by superior numbers, and forced to retreat, leaving seventeen or eighteen of their men dead on the field. The loss of the whites was nineteen or twenty, killed. The Piqua town and a few deserted villages within twenty miles of it were reduced to ashes; many acres of corn were destroyed: and the Kentucky troops then returned to the mouth of Licking, where they were disbanded.

IV.—In the fall of 1780, La Balme, a native of France, made an attempt to carry an expedition from Kaskaskia against Detroit. With twenty or thirty men he marched from Kaskaskia to Post Vincennes, where he was joined by a small reinforcement. He then moved up the Wabash and reached the British trading post, Ke-ki-ong-a, at the head of the river

Maumee. After plundering the traders and some of the Indians, he marched from the post and encamped near the river Aboite. A party of Miami Indians attacked the encampment, in the night. La Balme and several of his followers were slain, and the expedition was totally defeated and broken up.

V.—A war between Great Britain and Spain broke out early in 1779; and on the 2d of January, 1781, Captain Don Eugenio Pierre, a Spaniard, with a detachment of sixty-five men, marched for the British post of St. Joseph. This Spanish expedition was joined by sixty Indians. The united forces reached St. Joseph without opposition, and captured a few British traders at that place. Don Eugenio Pierre formally took possession of the post, its dependencies, and the river Illinois, in the name of the king of Spain. The Spaniards, however, soon retired from St. Joseph, and returned to St. Louis. Spain made an attempt to found, on this circumstance, a claim to a large territory on the eastern side of the river Mississippi.

VI.—In the spring of 1781,\* an army of eight hundred men commanded by Colonel Broadhead, marched from the place of rendezvous, at Wheeling, to destroy some Indian settlements at Coshocton, near the forks of the Muskingum river. The army reached the principal village on the east side of the river and took a number of prisoners, without firing a single shot. Sixteen captive warriors were immediately tomahawked and scalped. The march of the army was arrested by the river, which was very high, and the villages on the west side escaped destruction. An Indian made his appearance on the western bank of the river, and called to some of the sentinels of Broadhead's army. They answered, "what do you want?" He told them that he wished to see the Big Captain—meaning Colonel Broadhead. That officer soon appeared on the eastern bank of the river, and asked the Indian to tell what he wanted. The latter replied "I want peace." "Send over some of your chiefs," said Colonel Broadhead. "May be you kill," replied the Indian. "No," said the Colonel, "they shall

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\*Doddridge says "in the summer of 1780."

come, and go, in safety." A chief of very commanding appearance then went over the river to the encampment, and entered into a conversation with Colonel Broadhead. While he was thus engaged, a man whose name was Wetzel, walked up behind him, and gave him a powerful blow on the head, with a tomahawk. The chief fell down and expired instantly. Some Indian villages were destroyed; a few more Indian prisoners were tomahawked; and the army under Colonel Broadhead then retired from the Indian country.

VII.—In the month of March, 1782, Colonel David Williamson, at the head of a party of eighty or ninety mounted men, principally from the western part of Pennsylvania, crossed the Ohio at Mingo Bottom, and marched to destroy the towns of the peaceable Moravian Indians on the Muskingum river. This party took the unresisting Indians of the villages of Gnadenhuetten and Salem—placed them under guard in two houses at the former village—and then held a general council to decide on their fate. They were doomed to death: Only eighteen of Williamson's men were disposed to spare their lives. Ninety-six Indians were massacred at this place. Among these there were twenty women, and thirty-four children. The deed was perpetrated on the 8th of March, 1782. The villages and the mangled bodies of the slain were burned; and Colonel Williamson and his party then made a rapid retreat to the settlements on the eastern side of the Ohio.

VIII.—Early in the spring of 1782, a party of about twenty-five Indians appeared before Estill's station, in Kentucky. At this place they killed one white man, captured a negro, and destroyed some cattle: the Indians then retreated. Captain James Estill, at the head of twenty-five men, pursued the retreating party, and overtook them on Hinkston's fork of Licking, about two miles below the Little Mountain. After an obstinate battle, which was fought on the 22d of March, the Kentuckians were defeated, with the loss of nine men killed. Captain Estill was among the slain.

IX.—In the latter part of the month of May, 1782, Colonel William Crawford, at the head of four hundred and eighty vol-

unteers from the western parts of Pennsylvania and Virginia, passed the Ohio, near the Mingo Bottom, and marched to destroy the Moravian and the Wyandot villages on the river Sandusky. The men were mounted, and it was their resolution "not to spare the lives of any Indians that might fall into their hands, whether friends or foes."\* On reaching the plains near Upper Sandusky, the force under Crawford was defeated by the Indians, and compelled to make a precipitate retreat to the eastern side of the Ohio, with a loss of about one hundred men. Colonel Crawford was captured by the Indians, tortured, and burned to death at the stake.

X.—On the 15th of August, 1782, Simon Girty,† at the head of four or five hundred Indians, appeared before Bryant's station, in Kentucky. This station, which contained about forty cabins and forty or fifty men, was situated on the southern bank of Elkhorn, and on the left of the road that now leads from Lexington to Maysville. The Indians besieged the place from sunrise on the 15th till about ten o'clock the next day, when they marched off with a loss of about thirty warriors, killed and wounded. The loss of the whites was four men killed and three wounded. A party of one hundred and eighty mounted men was soon collected, and this small number of volunteers, under the command of Colonel John Todd, pursued the Indians and overtook them at the Lower Blue Licks, on Licking river. At this place, on the 19th of August, a battle was fought in which the Kentuckians were defeated with the loss of sixty men killed. Colonel John Todd, Major Trigg, Major Harland, and Captain McBride were among the slain.

XI.—In the summer of 1782, an officer whose name was Laughery, was moving down the river Ohio, with about one hundred and seven men, to join the Kentuckians at the Falls. After passing the mouth of the Big Miami he was attacked by a party of Indians near the mouth of a creek which still bears his name. Laughery and his party were all killed or captured.

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\*Doddridge, 268.

† This white man was a chief of the Delaware Indians, and as such lived among them before the commencement of the Revolutionary war.

XII.—On the 4th of November, 1782, General George R. Clark, at the head of one thousand and fifty men, left the Ohio near the mouth of Licking, and marched to destroy the Indian villages on the Miami rivers. “We surprised the principal Shawanee town, [says General Clark,] on the evening of the 10th inst. Immediately detaching strong parties to different quarters, in a few hours two-thirds of the town was laid in ashes, and every thing they were possessed of destroyed, except such articles as might be useful to the troops. The enemy had no time to secrete any part of their property which was in the town. The British trading post at the head of the Miami and carrying place to the waters of the lake shared the same fate, at the hands of a party of one hundred and fifty horse, commanded by Colonel Benjamin Logan. The property destroyed was of great amount; and the quantity of provisions burned surpassed all idea we had of the Indians stores. The loss of the enemy was ten scalps, seven prisoners, and two whites retaken; ours was one killed, and one wounded. After lying part of four days in their towns, and finding all attempts to bring the enemy to a general action fruitless, we retired, as the season was far advanced and the weather threatening.  
\* \* \* We might probably have got many more scalps and prisoners, could we have known in time whether we were discovered or not. We took for granted that we were not, until getting within three miles, some circumstances happened which caused me to think otherwise. Colonel John Floyd was then ordered to advance with three hundred men to bring on an action or attack the town, while Major Wells with a party of horse had previously been detached by a different route as a party of observation. Although Colonel Floyd’s motions were so quick as to get to the town but a few minutes later than those who discovered his approach, the inhabitants had sufficient notice to effect their escape to the woods, by the alarm cry which was given on the first discovery. This was heard at a great distance, and repeated by all that heard it. Consequently our parties only fell in with the rear of the enemy.”\*

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\* Letter, dated November 27, 1782, from Gen. G. R. Clark to the Governor of Virginia.—[Butler’s History Kentucky, p. 536.]

XIII.—Provisional articles of peace between the United States of America and Great Britain were signed at Paris, on the 30th November, 1782. This was followed by an armistice, negotiated at Versailles, on the 20th of January, 1783, declaring a cessation of hostilities: and finally a definitive treaty of peace was concluded at Paris, on the 3d of September, 1783, and ratified by Congress on the 14th of January, 1784. The war between the United States and Great Britain was virtually closed by the surrender of Lord Cornwallis, at Yorktown, in Virginia, on the 19th of October, 1781. By the second article of the definitive treaty of 1783, the boundaries of the United States were defined and established as follows, viz: From the northwest angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of St. Croix river to the Highlands; along the said Highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraguy; thence along the middle of said river into Lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the isles Royal and Philipeaux, to the Long Lake; thence through the middle of the said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwestern point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the north-

ernmost part of the thirty-first degree of north latitude. South, by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Appalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river, and thence down along the middle of St. Mary's river to the Atlantic ocean. East, by a line to be drawn along the middle of the river St. Croix, from its mouth, in the Bay of Fundy, to its source; and from its source, directly north, to the aforesaid Highlands, which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence: comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic ocean; excepting such islands as now are, or heretofore have been, within the limits of the said Province of Nova Scotia.

XIV.—On the 11th of April, 1783, a proclamation was issued by Congress, declaring a cessation of hostilities between the United States and Great Britain.

XV.—On the 2d of July, 1783, General George Rogers Clark was dismissed from the service of Virginia. On this occasion, Benjamin Harrison, the Governor of Virginia, wrote to General Clark a letter which contained the following passages:—"The conclusion of the war, and the distressed situation of the state, with respect to its finances, call on us to adopt the most prudent economy. It is for this reason alone I have come to a determination to give over all thoughts for the present of carrying on an offensive war against the Indians, which you will easily perceive will render the services of a general officer in that quarter unnecessary, and will therefore consider yourself as out of command: but before I take leave of you, I feel myself called upon in the most forcible manner to return you my thanks, and those of my Council, for the very great and singular services you have rendered your country, in

wresting so great and valuable a territory out of the hands of the British enemy, repelling the attacks of their savage allies, and carrying on successful war in the heart of their country. This tribute of praise and thanks, so justly due, I am happy to communicate to you as the united voice of the executive."

XVI.—In the month of July, 1779, two Piankeshaw chiefs, Tabac, and Grand Cornette, by deed conveyed to George Rogers Clark a tract of land two and a half leagues square, lying on the northwestern side of the Ohio opposite the falls of that river. Virginia never confirmed this purchase; because the constitution of that state, which was formed in May, 1776, declared that no purchase of lands should be made of the Indian natives, but on behalf of the public, by the authority of the General Assembly. By an act of the 2d of January, 1781, the General Assembly of Virginia resolved that, on certain conditions, they would cede to Congress, for the benefit of the United States, all the right, title, and claim which Virginia had to the territory northwest of the river Ohio. Congress, by an act of the 13th of September, 1783, agreed to accept the cession of the territory: and the General Assembly of Virginia, on the 20th of December, 1783, passed an act authorizing their delegates in Congress to convey to the United States, the right, title, and claim of Virginia to the lands northwest of the river Ohio.

XVII.—In October, 1783, the General Assembly of Virginia passed an act for laying off the town of Clarksville, at the Falls of the Ohio, in the county of Illinois. The act provided that the lots, of half an acre each, should be sold at public auction for the best price that could be had. The purchasers respectively were to hold their lots subject to the condition of building on each, within three years from the day of sale, a dwelling house "twenty feet by eighteen, at least, with a brick or stone chimney." William Fleming, John Edwards, John Campbell, Walker Daniel, George R. Clark, Abraham Chaplin, John Montgomery, John Bailey, Robert Todd, and William Clark, were, by the act of the Assembly, constituted trustees of the town of Clarksville.

XVIII.—On the 1st day of March, 1784, Thomas Jefferson, Samuel Hardy, Arthur Lee, and James Monroe, delegates in Congress on the part of Virginia, executed a deed of cession, by which they transferred to the United States, on certain conditions, all right, title, and claim of Virginia to the country northwest of the river Ohio. The deed of cession contained the following conditions, viz: "That the territory so ceded shall be laid out and formed into states, containing a suitable extent of territory, not less than one hundred, nor more than one hundred and fifty miles square; or as near thereto as circumstances will admit: and that the states so formed shall be distinct republican states, and admitted members of the federal union; having the same rights of sovereignty, freedom, and independence, as the other states. That the necessary and reasonable expenses incurred by Virginia, in subduing any British posts, or in maintaining forts and garrisons within, and for the defence, or in acquiring any part of, the territory so ceded or relinquished, shall be fully reimbursed by the United States. That the French and Canadian inhabitants, and other settlers of the Kaskaskias, Post Vincennes, and the neighboring villages, who have professed themselves citizens of Virginia, shall have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties. That a quantity not exceeding one hundred and fifty thousand acres of land, promised by Virginia, shall be allowed and granted to the then Colonel, now General George Rogers Clark, and to the officers and soldiers of his regiment, who marched with him when the posts of Kaskaskia and Vincennes were reduced, and to the officers and soldiers that have been since incorporated into the said regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the northwest side of the Ohio, as a majority of the officers shall choose,\* and to be afterwards divided among the officers and soldiers in due proportion, according to the laws of Virginia. That in case the quantity of good lands on the southeast

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\*This reservation was laid off on the borders of the Ohio river, adjacent to the falls; and the tract was called the "Illinois Grant."

side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law for the Virginia troops upon continental establishment, should, from the North Carolina line bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency shall be made up to the said troops, in good lands to be laid off between the rivers Scioto and Little Miami, on the northwest side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia.\* That all the lands within the territory so ceded to the United States, and not reserved for, or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, shall be considered as a common fund for the use and benefit of such of the United States as have become, or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

XIX.—In the spring of 1784, after the Virginia deed of cession had been accepted by Congress, the subject was referred, in that body, to a committee consisting of Messrs. Jefferson, of Virginia, Chase, of Maryland, and Howell, of Rhode Island. This committee reported an ordinance for the government of the territory northwest of the river Ohio. The ordinance declared that, after the year 1800, there should be neither slavery nor involuntary servitude, otherwise than in punishment of

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\*By the provisions of the acts of the General Assembly of Virginia, of the 3d of October, 1779, and 5th of October, 1780, the following Land Bounties were promised to the officers and soldiers of Virginia who should serve to the end of the Revolutionary war, viz:

To a Major General,	-	-	-	-	-	15,000 acres.
Brigadier General,	-	-	-	-	-	10,000 acres.
Colonel,	-	-	-	-	-	6,666 $\frac{2}{3}$ acres.
Lieutenant Colonel,	-	-	-	-	-	6,000 acres.
Major,	-	-	-	-	-	5,666 $\frac{2}{3}$ acres.
Captain,	-	-	-	-	-	4,000 acres.
Subaltern,	-	-	-	-	-	2,666 $\frac{2}{3}$ acres.
Non-commissioned officer,	-	-	-	-	-	400 acres,
Soldier, (private,)	-	-	-	-	-	200 acres.

crime, in any of the states to be formed out of the said territory. This ordinance was rejected; but, on the 23d of April, 1784, Congress, by a series of resolutions, provided for the maintenance of temporary government in the country which the United States had acquired northwest of the Ohio.

XX.—On the 21st of January, 1785, George Rogers Clark, Richard Butler, and Arthur Lee, commissioners on the part of the United States, negotiated, at Fort McIntosh,\* a treaty of peace with a number of sachems and warriors of the Wyandot, Delaware, Chippewa, and Ottawa nations of Indians.†

XXI.—On the 20th of May, 1785, the Congress of the United States passed “An ordinance for ascertaining the mode of disposing of lands in the western territory.”‡

XXII.—By an order of Congress, of the 15th of June, 1785, the following proclamation was circulated in the country northwest of the river Ohio: “Whereas it has been represented to the United States in Congress assembled, that several disorderly persons have crossed the river Ohio and settled upon their unappropriated lands; and whereas it is their intention, as soon as it shall be surveyed, to open offices for the sale of a considerable part thereof, in such proportions and under such other regulations as may suit the convenience of all the citizens of the said states and others who may wish to become purchasers of the same: and as such conduct tends to defeat the object which they have in view; is in direct opposition to the ordinances and resolutions of Congress, and highly disrespectful to the federal authority; they have, therefore, thought fit, and do hereby issue this their proclamation, strictly forbidding all such unwarrantable intrusions, and enjoining all those who have settled thereon to depart with their families and effects, without loss of time, as they shall answer the same at their peril.”

XXIII.—In Congress, on the 18th of March, 1785, it was

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\*On the northern side of the river Ohio, at the mouth of Beaver creek, about twenty-nine miles below Pittsburgh.

†See Appendix A.

‡See Appendix B.

resolved, "That, in order to give greater security to the frontier settlement, and establish a boundary line between the United States and the Pottawattamie, Twightwee, Piankeshaw and other western nations, a treaty be held with the said Indians at Post Vincennes, on the Wabash river, on the 20th day of June, 1785, or at such other time or place as the commissioners may find more convenient." By a resolution of Congress, of the 6th of June, 1785, the commissioners on the part of the United States were authorized and directed to obtain from the western tribes of Indians a cession of lands "as extensive and liberal as possible." The resolution of the 18th of March, the ordinance of the 20th of May, and the proclamation of the 15th of June, aroused the jealousy of the western Indians, and produced no small degree of excitement among the American adventurers and the French settlers at Post Vincennes. The French settlers, by virtue of Indian grants and court concessions, claimed, on the northwestern side of the Ohio, a territory of about fifteen thousand square miles. The claims of the Illinois and Wabash Land Companies covered a region of far greater extent. Neither these Land Companies, nor the Miami Indians, nor the French inhabitants of Post Vincennes, were disposed to give up to the United States their respective claims to lands lying northwest of the river Ohio. The Indians who resided on the Wabash were restless and jealous of the advancing settlements of the whites; the British still held possession of the posts of Michilimackinac, Detroit, and some of their dependencies; the Spaniards claimed the right and left banks of the Mississippi, and maintained that the dominion of the United States did not extend as far westward as that river: and the inhabitants of Kaskaskia and Post Vincennes were distressed by commotion among themselves. By a resolution of Congress of the 29th of June, 1785, the commissioners for negotiating a treaty with the western Indians, were directed to hold the said treaty on the western banks of the Ohio, at the rapids, or at the mouth of the Great Miami river. At the latter place on the 31st of January, 1786,

a treaty was concluded between the United States and the Shawanee Indians.\*

XXIV.—A large Indian council, composed of deputies from different tribes, was held at Ouiatenon on the river Wabash, in the month of August, 1785. About the same time an Indian killed one of the French inhabitants of Post Vincennes. A party “of the friends of this man then fell on the Indians, killed four and wounded some more. Soon afterwards an Indian chief waited on the French inhabitants, and told them that they must remove at a fixed time—that the Indians were determined to make war on the American settlers—and that if the French remained at Post Vincennes, they would share the fate of the Americans.”† Notwithstanding the hostile temper of the Indians, during the years 1785 and 1786, the court of Post Vincennes continued to grant tracts of land to various French and American adventurers. The fees of the court for each deed of concession amounted to four dollars. Of the Americans, who attempted to make improvements on such grants, some were killed by the Indians, others became alarmed and retired to Kentucky, and a few remained at Post Vincennes, where they were protected by the French inhabitants.

XXV.—In the year 1786, some traders arrived in boats at Post Vincennes, and reported that they had been fired on by a party of Indians who were encamped near the mouth of the river Embarrass, a few miles below the town. A settler, whose name was Small, immediately raised a company of thirty or forty men, and proceeded to the Indian encampment. In a skirmish which then took place several Indians and some white men were killed.

At this period the hostile temper of the Indians harassed the inhabitants of Kentucky—interfered materially with the projects of a numerous class of land-jobbers—prevented the settlement of Clark’s grant—and frustrated the unremitting attempts of Congress to extinguish the Indian right to lands on

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\*See Appendix, C.

†Correspondence of Captain John Armstrong, September, 1785.

the northwestern side of the river Ohio. Such was the state of affairs when, in the summer of 1786, a strong military force was raised in Kentucky, for the purpose of making simultaneous attacks on the Indian towns of the Wabash and the Shawanee villages in the country between the Big Miami and the Scioto rivers. About one thousand men, under the command of General George Rogers Clark, marched from the Falls of the Ohio for Post Vincennes, and arrived in the neighborhood of that place early in the month of October. The army then encamped, and lay in a state of inactivity for nine days, awaiting the arrival of provisions and stores which had been shipped on keel boats at Louisville and Clarksville. When the boats arrived at Post Vincennes about one half of the provision was spoiled; and that part which had been moved by land was almost exhausted. A spirit of discontent began to manifest itself in camp, even before the arrival of the boats; and when the state of supplies was known, this spirit became more apparent.\* The Kentucky troops, however, having been reinforced by a considerable number of the inhabitants of Post Vincennes, were ordered to move up the Wabash, towards the Indian towns that lay in the vicinity of the ancient post of Ouiatenon. The people of these towns had received intelligence of the approach of their enemy, and had selected a place for an ambuscade among the defiles of Pine creek. On reaching the neighborhood of the mouth of Vermillion river, the army found that the Indians had deserted their villages on that stream near its junction with the Wabash. At this crisis, when the spirits of the officers and men were depressed by disappointment, hunger, and fatigue, some persons circulated throughout the camp a rumor that General Clark had sent a flag of truce to the Indians, with the offer of peace or war. This rumor, combined with a lamentable change which had taken place in the once temperate, bold, energetic and commanding character of Clark, excited among the troops a spirit of insubordination which neither the commands, nor the entreaties, nor the tears of the General could subdue. At an encampment near the mouth of

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\*Marshall's History of Kentucky.

the Vermillion river, about three hundred men in a body left the army, and proceeded on their way homeward. The remainder of the troops, under the command of General Clark, then abandoned the expedition and returned to Post Vincennes.

The expedition which marched against the Shawanee villages was commanded by Colonel Benjamin Logan. This officer at the head of four or five hundred mounted riflemen, crossed the river Ohio at the point where the town of Maysville now stands, and penetrated the Indian country as far as the head waters of Mad river. In the words of one of the actors\* in this expedition, "Colonel Logan would have surprised the Indian towns against which he marched, had not one of his men deserted to the enemy, and gave notice of his approach. As it was, he burned eight large towns, and destroyed many fields of corn. He took seventy or eighty prisoners, and killed about twenty warriors, and among the rest, the head chief of the nation. This last act caused deep regret, humiliation, and shame to the commander and his troops." The murder of the chief was, however, perpetrated in direct violation of the orders of Colonel Logan. In the course of this expedition the Kentuckians lost about ten men.†

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\*The late Gen. William Lytle, of Cincinnati.

†McDonald's Sketches.

## CHAPTER XI.

IN the month of October, 1786, a Board, composed of field officers in the Wabash expedition, met in council at Post Vincennes, and "unanimously agreed that a garrison at that place would be of essential service to the district of Kentucky, and that supplies might be had in the district more than sufficient for their support, by impressment or otherwise, under the direction of a commissary to be appointed for that purpose, pursuant to the authority vested in the field officers of the district by the Executive of Virginia. The same Board appointed Mr. John Craig, jr. a commissary of purchases; and resolved that one field officer and two hundred and fifty men (exclusive of a company of artillery to be commanded by Captain Valentine Thomas Dalton,) be recruited to garrison Post Vincennes; and that Colonel John Holder be appointed to command the troops in this service."\* In order to carry these resolutions into effect, General Clark, who "assumed the supreme direction of the corps,"† began to levy recruits, appoint officers, and impress provisions for the support of a garrison at Post Vincennes. He despatched messages to the Indian tribes that lived on the borders of the Wabash, and invited those tribes to meet him in a great council at Clarksville, on the 20th of November, 1786, to make a treaty of peace and friendship. A few chiefs of different bands sent answers to General Clark, and expressed their willingness to meet him in council, not at Clarksville, but at Post Vincennes. The following is an extract from the answer of "the Goose and Fusil:"

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\*Secret Journals of Congress, iv. 311.

†Ib. 312.

“My Elder Brother: Thou oughtest to know the place we have been accustomed to speak at: it is at Post Vincennes. There our chiefs are laid. There our ancestor’s bed is, and that of our father the French—and not at Clarksville, where you required us to meet you: We don’t know such a place: but at Post Vincennes where we always went when necessary to hold councils. My Elder Brother—thou informest me I must meet you at the place I have mentioned; yet, thou seest, my brother, that the season is far advanced; and that I would not have time to invite my allies to come to your council, which we pray to hold at Post Vincennes.”

In replying to this message, and to other communications of a similar nature, General Clark said, “I propose the last of April, [1787] for the grand council to be held at this place, Post Vincennes, where I expect all those who are inclined to open the roads will appear, and we can soon discover what the Deity means.”

At this period the Spanish minister, Mr. Gardoqui, and John Jay, the Secretary of the United States for Foreign Affairs, were carrying on negotiations for the establishment of a treaty between the United States and Spain. On the 3d of August, 1786, Mr. Jay made before Congress a certain statement, from which the following is an extract:—“It appears to me that a proper commercial treaty with Spain would be of more importance to the United States than any they have formed, or can form, with any other nation. I am led to entertain this opinion from the influence which Spain may and will have both on our politics and commerce. France, whom we consider as our ally, and to whom we shall naturally turn our eyes for aid in case of war, &c. is strongly bound to Spain by the family compact; and the advantages she derives from it are so various and so great, that it is questionable whether she could ever remain neutral in case of a rupture between us and Spain. Besides, we are well apprised of the sentiments of France relative to our western claims—in which I include that of freely navigating the river Mississippi. I take it for granted that, while the compact in question exists, France will invariably think it

her interest to prefer the good will of Spain to the good will of America; and although she would very reluctantly give umbrage to either, yet, if driven to take part with one or the other, I think it would not be in our favor. Unless we are friends with Spain, her influence, whether more or less, on the counsels of Versailles, will always be against us. \* \* \* On general principles of policy and commerce, it is the interest of the United States to be on the best terms with Spain. \* \* \* My attention is chiefly fixed on two obstacles which at present divide us, viz: the navigation of the Mississippi, and the territorial limits between them and us.

“My letters from Spain, when our affairs were the least promising, evince my opinion respecting the Mississippi, and oppose every idea of our relinquishing our right to navigate it. I entertain the same sentiments of that right, and of the importance of retaining it, which I then did. Mr. Gardoqui strongly insists on our relinquishing it. We have had many conferences and much reasoning on the subject, not necessary now to detail. His concluding answer to all my arguments has steadily been, that the king will never yield that point, nor consent to any compromise about it: for that it always has been, and continues to be, one of their maxims of policy, to exclude all mankind from their American shores.

“I have often reminded him that the adjacent country was filling fast with people; and that the time must and would come, when they would not submit to seeing a fine river flow before their doors without using it as a highway to the sea for the transportation of their productions: that it would therefore be wise to look forward to that event, and take care not to sow in the treaty any seeds of future discord. He said that the time alluded to was far distant; and that treaties were not to provide for contingencies so remote and future. For his part he considered the rapid settlement of that country as injurious to the states, and that they would find it necessary to check it. Many fruitless arguments passed between us; and though he would admit that the only way to make treaties and friendship permanent, was for neither party to leave the other any thing

to complain of; yet he would still insist that the Mississippi must be shut against us. \* \* \* Circumstanced as we are, I think it would be expedient to agree that the treaty should be limited to twenty-five or thirty years, and that one of the articles should stipulate that the United States would forbear to use the navigation of that river below their territories to the ocean. Thus the duration of the treaty and of the forbearance in question would be limited to the same period. Whether Mr. Gardoqui would be content with such an article, I cannot determine, my instructions restraining me from even sounding him respecting it. I nevertheless think the experiment worth trying for several reasons.

1. Because unless that matter can in some way or other be settled, the treaty, however advantageous, will not be concluded.

2. As the navigation is not *at present* important, nor will probably become much so in less than twenty-five or thirty years, a forbearance to use it while we do not want it is no great sacrifice.

3. Spain now excludes us from that navigation, and with a strong hand holds it against us. She will not yield it peaceably, and therefore we can only acquire it by *war*. Now, as we are not prepared for a war with any power; as many of the states would be little inclined to a war with Spain for that object at this day; and as such a war would, for those and a variety of obvious reasons, be inexpedient, it follows that Spain will, for a long space of time yet to come, exclude us from that navigation. Why, therefore, should we not (for a valuable consideration, too,) consent to forbear to use what we know is not in our power to use? \* \* \* With respect to territorial limits, it is clear to me that Spain can justly claim nothing east of the Mississippi but what may be comprehended within the bounds of the Floridas. How far those bounds extend, or ought to extend, may prove a question of more difficulty to negotiate than to decide. Pains, I think, should be taken to conciliate and settle all such matters amicably: and it would be better even to yield a few acres than to part in ill humor.

\* \* \* It is much to be wished that all these matters had lain dormant for years yet to come; but such wishes are vain: these disputes are agitating: they press themselves upon us; and must terminate in accommodation, or war, or disgrace. The last is the worst that can happen: the second we are unprepared for; and, therefore, our attention and endeavors should be bent to the first. \* \* \*

“Spain is now able and willing to grant us favors: other treaties and other dispositions and views may render her in future both unable and unwilling to do the like. At a time when other nations are showing us no extraordinary marks of respect, the court of Spain is even courting our friendship, by strong marks not merely of polite and friendly attention, but by offering us favors not common for her to hold out or bestow; for I consider the terms she proposes as far more advantageous than any to be found in her commercial treaties with other nations. If after all her endeavors to take us by the hand, we should hold it back, every disposition and passion opposite to kind and friendly ones will undoubtedly influence her future conduct. Disappointed in her views, and mortified by repulse, and that in the sight of Europe, we may easily judge what her feelings would be: nor is it difficult to foresee that those feelings, stimulated by the jealousies and apprehensions before mentioned, will naturally precipitate and keep her in a system of politics, from which the United States cannot expect to derive advantage. The Mississippi would continue shut: France would tell us our claim to it was ill founded. The Spanish posts on its banks, and even those out of Florida in our country, would be strengthened, and that nation would there bid us defiance, with impunity, at least until the American nation shall become more really and truly a nation than it at present is. For, unblessed with an efficient government, destitute of funds, and without public credit, either at home or abroad, we should be obliged to wait in patience for better days, or plunge into an unpopular or dangerous war with very little prospect of terminating it by a peace, either advantageous or glorious. Supposing the Spanish business out of the question,

yet the situation of the United States appears to me to be seriously delicate, and to call for great circumspection both at home and abroad; nor, in my opinion, will this cease to be the case, until a vigorous national government be formed, and public credit and confidence established.”\*

The delegates in Congress from the states of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania were disposed, in case a treaty with Spain could not otherwise be made, to forbear, for a limited time, the use of the navigation of the river Mississippi below the southern boundary of the United States. The delegates from Maryland, Virginia, North Carolina, South Carolina and Georgia would not consent to a temporary relinquishment of the right of citizens of the United States to the free navigation of the Mississippi: and, as by the ninth article of the confederation the assent of nine states was necessary in making a treaty, the proposition of Mr. Jay was not carried into effect. Although Congress, while debating on this subject, sat with closed doors, its proceedings soon became partially known. The *proposition* was magnified into *an actual treaty*, and called from the western people most bitter complaints and reproaches.† The following is a copy of a letter from a western settler to the Governor of the state of Georgia:

“LOUISVILLE, Falls of Ohio, December 23, 1786.

“Honored and respected sir: Since I had the pleasure of writing my last, many circumstances of alarming nature have turned up to view. The commercial treaty with Spain is considered to be cruel, oppressive, and unjust. The prohibition of the navigation of the Mississippi has astonished the whole western country. To sell us and make us vassals of the merciless Spaniards is a grievance not to be borne. Should we tamely submit to such manacles we should be unworthy the name of Americans, and a scandal to the annals of its history. It is very surprising to every rational person that the legislature of the United States, which has been so applauded for

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\*Secret Journals of Congress, iv. 45.

†Pitkin, ii. 208.

their assertion and defence of their rights and privileges, should so soon endeavor to subjugate the greatest part of their dominion even to worse slavery than ever Great Britain presumed to subjugate any part of hers. Ireland is a free country to what this will be when its navigation is entirely shut. We may as well be sold for bondsmen as to have the Spaniards share all the benefits of our toils. They will receive all the fruits, produce of this large, rich and fertile country at their own prices, (which you may be assured will be very low,) and therefore will be able to supply their own markets and all the markets of Europe on much lower terms than what the Americans possibly can. What then are the advantages that the inhabitants of the Atlantic shores are to receive? This is summed up in a very few words: their trade and navigation ruined, and their brethren laboring to enrich a luxurious, merciless, and arbitrary nation. Too much of our property have they already seized, condemned, and confiscated, testimonies of which I send you accompanying this. Our situation cannot possibly be worse; therefore every exertion to retrieve our circumstances must be manly, eligible and just. The minds of the people here are very much exasperated against both the Spaniards and Congress. But they are happy to hear that the state of Georgia has protested against such vile proceedings: therefore they have some hopes, looking up to that state, craving to be protected in our just rights and privileges.

“Matters here seem to wear a threatening aspect. The troops stationed at Post Vincennes by orders of General George Rogers Clark have seized upon what Spanish property there was at that place, also at the Illinois, in retaliation for their many offences. General Clark, who has fought so gloriously for his country, and whose name strikes all the western savages with terror, together with many other gentlemen of merit, engages to raise troops sufficient, and go with me to the Natchez to take possession, and settle the lands agreeable to the lines of that state, at their own risk and expense; provided you in your infinite goodness will countenance them and give us the lands to settle it agreeable to the laws of your state.

Hundreds are now waiting to join us with their families, seeking asylum for liberty and religion. Not hearing that the lines are settled between you and the Spaniards, we therefore wish for your directions concerning them, and the advice of your superior wisdom. At the same time assuring you that we have contracted for a very large quantity of goods, we hope sufficient to supply all the Indians living within the limits of Georgia. Trusting that we shall be able to make them independent of the Spaniards, wean their affections and procure their esteem for us and the United States, as we expect to take the goods down with us. We earnestly pray that you would give us full liberty to trade with all those tribes, and also to give your agents for Indian affairs all the necessary instructions for the prosperity of our scheme. The season for the Indian trade will be so far advanced that I wait with very great impatience.

“General Clark, together with a number of other gentlemen, will be ready to proceed down the river with me on the shortest notice, therefore hope and earnestly pray that you will despatch the express back with all possible speed with your answer, and all the encouragement due to so great an undertaking. As to the further particulars I refer you to the bearer Mr. William Wells,\* a gentlemen of merit who will be able to inform you more minutely than I possibly can of the sentiments of the people of this western country.

Sir, I have the honor to be your honors, &c.

THOMAS GREEN.”

During the winter of 1786-’7, copies of the following pro-

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\*“LOUISVILLE, December 4, 1786:—Jefferson County, ss.

“Whereas William Wells is now employed by Colonel Thomas Green and others to go to Augusta, in the state of Georgia, on public business, and it being uncertain whether he will be paid for his journey out of the public treasury: should he not be, on his return, we the subscribers do jointly and severally, for value received, promise to pay him on demand the several sums that are affixed to our names, as witness our hands.

Thomas Green, . . . .	£10 00	James Huling, . . . .	£1 00.
John Williams, . . . .	1 00	David Morgan, . . . .	1 00
George R. Clark, . . . .	10 00	John Montgomery, . . . .	1 00
Lawrence Muse, . . . .	3 00	Ebenezer S. Platt, . . . .	1 00
Richard Brashears, . . . .	5 00	Robert Elliott, . . . .	10
James Patton, . . . .	3 00	Thomas Stribbling, . . . .	1 10

[Secret Journal of Congress, iv. 318.

duction were circulated with an air of secrecy, among some of the American settlements on the western side of the Allegheny mountains:

“A COPY OF A LETTER FROM A GENTLEMAN AT THE FALLS OF OHIO, TO HIS FRIEND IN NEW ENGLAND, DATED DECEMBER 4TH, 1786.

“Dear Sir: Politics, which a few months ago were scarcely thought of, are now sounded aloud in this part of the world, and discussed by almost every person. The late commercial treaty with Spain, in shutting up, as it is said, the navigation of the Mississippi for the term of twenty-five years, has given this western country a universal shock, and struck its inhabitants with an amazement. Our foundation is affected. It is therefore necessary that every individual exert himself to apply a remedy. To sell us, and make us vassals to the merciless Spaniards, is a grievance not to be borne. The parliamentary acts which occasioned our revolt from Great Britain were not so barefaced and intolerable. To give us the liberty of transporting our effects down the river to New Orleans, and then be subject to the Spanish laws and impositions, is an insult upon our understanding. We know by woful experience that it is in their power, when once there, to take our produce at any price they please. Large quantities of flour, tobacco, meal, &c. have been taken there the last summer, and mostly confiscated. Those who had permits from their Governor, were obliged to sell at a price he was pleased to state, or subject themselves to lose the whole. Men of large property are already ruined by their policy. What benefit can you on the Atlantic shores receive from this act? The Spaniards, from the amazing resources of this river, can supply all their own markets at a much lower price than you possibly can. Though this country has been settling but about six years, and that in the midst of an inveterate enemy, and most of the first adventurers fallen a prey to the savages, and although the emigration to this country is so very rapid that the internal market is very great, yet the quantities of produce they now have on hand are immense. Flour and pork are now selling here at

twelve shillings the hundred; beef in proportion; any quantities of Indian corn can be had at nine pence per bushel. Three times the quantity of tobacco and corn can be raised on an acre here that can be within the settlement on the east side of the mountains, and with less cultivation. It is therefore rational to suppose that in a very few years the vast bodies of waters in those rivers will labor under immense weight of the produce of this rich and fertile country, and the Spanish ships be unable to convey it to market.

“Do you think to prevent the emigration from a barren country, loaded with taxes and impoverished with debts, to the most luxurious and fertile soil in the world? Vain is the thought, and presumptuous the supposition. You may as well endeavor to prevent the fishes from gathering on a bank in the sea which affords them plenty of nourishment. Shall the best and largest part of the United States be uncultivated, a nest for savages and beasts of prey? Certainly not. Providence has designed it for nobler purposes. This is convincing to every one who beholds the many advantages and pleasing prospects of this country. Here is a soil, richer to appearance than can possibly be made by art. Large plains and meadows without the labor of hands, sufficient to support millions of cattle, summer and winter; cane, which is also a fine nourishment for them, without bounds. The spontaneous production of this country surpasses your imagination. Consequently, I see nothing to prevent our herds being as numerous here in time as they are in the kingdom of Mexico. Our lands to the northward of the Ohio, for the produce of wheat, &c. will, I think, vie with the island of Sicily. Shall all this country now be cultivated for the use of the Spaniards? Shall we be their bondmen as the children of Israel were to the Egyptians? Shall one part of the United States be slaves, while the other is free? Human nature shudders at the thought, and freemen will despise those who could be so mean as to even contemplate on so vile a subject.

“Our situation is as bad as it possibly can be; therefore every exertion to retrieve our circumstances, must be manly,

eligible and just. We can raise twenty thousand troops on this side the Allegheny and Apalachian mountains; and the annual increase of them by emigration, from other parts, is from two to four thousand.

“We have taken all the goods belonging to the Spanish merchants of Post Vincennes and the Illinois, and are determined they shall not trade up the river, provided they will not let us trade down it. Preparations are now making here (if necessary) to drive the Spaniards from their settlements, at the mouth of the Mississippi. In case we are not countenanced and succored by the United States (if we need it) our allegiance will be thrown off, and some other power applied to. Great Britain stands ready with open arms to receive and support us. They have already offered to open their resources for our supplies. When once re-united to them, “farewell, a long farewell to all your boasted greatness.” The province of Canada and the inhabitants of these waters, of themselves, in time, will be able to conquer you. You are as ignorant of this country as Great Britain was of America. These hints, if rightly improved, may be of some service: if not, blame yourselves for the neglect.” \*

It is not probable that the opinions and sentiments of the authors of this letter, were ever held or entertained by any considerable number of the western settlers. It seems, indeed, from the following memorial which was sent to the Governor of Virginia, that many of the most influential citizens of the district of Kentucky regarded with sentiments of disapprobation the projects of Mr. Green, and the proceedings of the troops under the command of General Clark, at Post Vincennes:

“DANVILLE, [Kentucky,] Dec. 22, 1786.

“SIR: Whatever general impropriety there may be in a few private individuals addressing your Excellency on subjects of public nature, we cannot resist those impulses of duty and affection, which prompt us to lay before the honorable Board at which you preside a statement of certain unwarrantable

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\*Secret Journal Congress, iv. 320.

transactions, which we are apprehensive may, without the seasonable interposition of the legislature, deeply affect the dignity, honor, and interest of the commonwealth.

“The testimonials which accompany this will give your excellency a general idea of the outrage which has been committed at Post Vincennes, of the illicit views of Mr. Green and his accomplices, and the negotiation which has taken place between General Clark and the Wabash Indians.

“We beg leave to add, that we have reason to believe property has been plundered to a very considerable amount, and that it has been generally appropriated to private purposes. We are fearful that Green will find no difficulty in levying auxiliaries in the titular state of Frankland, and the settlements on Cumberland; in the meantime attempts are daily practised to augment the banditti at Post Vincennes, by delusive promises of lands, bounty and clothing, from the officers appointed by General Clark.

“We beg leave to suggest to the serious consideration of your excellency, the necessity of carrying into effect the treaty proposed in April; for we fear, that the savages, when assembled, if they are not amused by a treaty, or kept in awe by a military force at Post Vincennes, will form combinations among themselves hostile to this country; and before they disperse, may turn their arms against our scattered settlements in such force as to overwhelm them. To the superior wisdom and the paternal care of the heads of the commonwealth we take the liberty of submitting the matters herein mentioned, in full confidence, that every necessary measure will be immediately adopted: and have the honor to be, with every sentiment of respect, your excellency’s most obedient,

[Signed,]

T. Marshall,	Caleb Wallace,	Charles Ewing,
George Muter,	John Craig,	John Logan,
Harry Innes,	Chris. Greenup,	John Edwards,
Edmund Lyne,	James Garrard,	Richard Taylor,
Rich. C. Anderson,	James Wilkinson,	J. Brown.”

At Danville, a committee was appointed to wait on General Clark, "and receive from him such information as he thought proper to make respecting the establishment of the corps at Post Vincennes, of the seizure of Spanish property made at that place, and such other matters as they might think necessary." Here follows the report of the committee:

"They find by enquiry from General Clark, and sundry papers submitted by him to their inspection, that a Board of field officers composed from the corps employed on the late Wabash expedition, did in council held at Post Vincennes, the 8th of October, 1786, unanimously agree that a garrison at that place would be of essential service to the District of Kentucky, and that supplies might be had in the district more than sufficient for their support, by impressment or otherwise, under the direction of a commissary to be appointed for this purpose, pursuant to the authority vested in the field officers of the district by the Executive of Virginia. The same Board appointed Mr. John Craig, jun. a commissary of purchases; and resolved that one field officer and two hundred and fifty men, exclusive of the company of artillery to be commanded by Captain Valentine Thomas Dalton, be recruited to garrison Post Vincennes. That Colonel John Holder be appointed to command the troops in this service.

"In consequence of these measures it appears to your committee that a body of men have been enlisted and are now recruiting for one year: that General Clark hath taken the supreme direction of the corps, but by what authority doth not appear; and that the corps hath been further officered by appointments made by General Clark, who acknowledges that the seizure of the Spanish property was made by his order for the sole purpose of clothing and subsisting the troops; and that the goods seized were appropriated in this way. That John Rice Jones, who acts as commissary to the garrison, had passed receipts for the articles taken. The General alleges that the troops were raised for the security of the district; that he considers them subject to the direction of this committee, who may discharge them if they think proper, but conceives this

measure may prevent the proposed treaty, and involve this country in a bloody war. He denies any intention of depredating on the Spanish possessions or property at the Illinois; and declares that he never saw the intercepted letter from Thomas Green. That he understood Green's object was to establish a settlement at or near the Gaso river, under the authority of the state of Georgia; that his view was by encouraging the settlement to obtain a small grant of land, and that he had no idea of molesting the Spaniards, or of attending Green in person. He informed the committee that the garrison now at Post Vincennes is about one hundred strong, and that the merchants at the Illinois had determined to support it, for which purpose they had sent for the commissary Jones to receive provisions. That Major Bosseron was sent to the Illinois to advise the settlers there of certain seizures made at Natchez, of American property, by the Spanish commandant, and to recommend it to them to conciliate the minds of the Indians, and be prepared to retaliate any outrage the Spaniards might commit on their property; but by no means to commence hostilities. THOMAS TODD, Clk. Com.\*

The most important particulars of the principal seizure of Spanish property at Post Vincennes, are detailed in the deposition which follows:

"The deposition of Daniel Neeves, being first sworn on the Holy Evangelists of Almighty God, deposeth and saith, That he, this deponent, was enlisted by a Captain Thomas Mason, as a soldier in the Wabash regiment; that he was summoned as one of a guard by a Captain Valentine T. Dalton, and was by him marched to a store; and he the said Dalton by an interpreter demanded of a Spanish merchant to admit him the said Dalton into his cellar. The Spaniard asked what he wanted. The said Dalton answered, he was sent by the commanding officer to search his cellar. It being at a late hour of the night, the Spaniard lighted a candle and opened his doors, and went and opened his cellar door. The said Dalton with several

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\*Sec. Jour. Congress, iv. 311.

others entered the cellar; after some time he came out, and placed this deponent as a guard over the cellar, and took the rest of the guard to another store. That the succeeding day the said Dalton came with a number of others and plundered the cellar of a large quantity of peltry, wine, taffy, honey, tea, coffee, sugar, cordial, French brandy, and sundry other articles, together with a quantity of dry goods, the particular articles this deponent doth not at present recollect; that part of the goods was made use of to clothe the troops, the remainder with the other articles was set up at public auction and sold; that the sale was conducted by a certain John Rice Jones, who marched in the militia commanded by General Clark as a commissary general. And further this deponent saith that he obtained a furlough, dated the 24th day of November, 1786, signed Valentine Thomas Dalton, captain commandant Wabash regiment, of which the following is a copy: 'Daniel Neeves, a soldier in the Wabash regiment, has liberty to go on a furlough for two months from the date hereof; at the expiration he is to return to his duty, otherwise looked upon as a deserter. November 24, 1786. Valentine Thos. Dalton, captain commandant Wabash regiment. To all whom it may concern.' And further this deponent saith not.

DANIEL NEEVES."

"The above deposition was sworn to before me this 20th day of December, 1786.

CHRISTOPHER GREENUP."\*

This deposition and the foregoing letters which refer to the proceedings of General Clark at Post Vincennes, and to the opinions of some of the western settlers on the subject of the navigation of the Mississippi, were despatched from Danville to the Governor of Virginia. Here follows an act of the Council of Virginia, of the 28th of February, 1787.

"IN COUNCIL, February 28, 1787.

"The Board having resumed the consideration of several letters bearing date the 22d day of December, 1786, and ad-

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\*Sec. Jour. Congress, iv. 309.

dressed to the Governor from Danville, by Thomas Marshall and others, which said letters with the enclosures had been laid before them on Saturday last.

The Board lament those despatches, pregnant as they are with subjects deeply interesting to our national character and quiet, and intended for the last Assembly, should for the first time, on the fifth day of this instant, have been handed to the Governor in Williamsburgh, on his late journey to Norfolk on public business. From the respectability of the names subscribed to those letters they confide in the following facts:

1.—That the prosecution of the Treaty proposed to be held with the Indians, under the authority of Congress, will tend to the safety of our western settlements.

2.—That the success of the Treaty would be forwarded by the appointment of some commissioners at least who are resident in the parts of the country likely to be exposed to the incursions of the savages.

3.—That General Clark has been and perhaps is now employed in levying recruits, in nominating officers, and in impressing provisions for the support of the post at Post Vincennes; and

4.—That General Clark hath made a seizure of Spanish property without any authority for such an act.

The Board therefore advise,

1.—That copies of the letters aforesaid and their enclosures be forthwith transmitted to our delegates in Congress with an earnest request to communicate them, in whole or in part, according to their discretion, immediately to that body, to urge the speediest arrangements for a treaty to be holden with the Indians in April next, under the sanction of the federal government; and to propose as commissioners, General James Wilkinson, Colonel Richard Clough Anderson, and Colonel Isaac Shelby.

2.—That it be notified to General Clark, that this Board disavow the existence of a power derived from them to the said Clark to raise recruits, appoint officers, or impress provisions.

3.—That as the seizure of Spanish property was never authenticated to this Board before the receipt of the said letters, so had it been known at a period sufficiently early for prevention, it would have been prevented. But that this offence against the law of nations having been committed, it becomes the executive to declare their displeasure at the act, and to cause the national honor to be vindicated by the institution of legal proceedings against all persons appearing to be culpable. That the Attorney General be consulted on the documents aforesaid, and requested to take himself, or call upon the Attorney General of Kentucky, as the case may require, to take such steps as may subject to punishment all persons guilty in the premises. That the said seizure of Spanish property be disclaimed by government in a special proclamation. That a copy of this order be also sent to our delegates, [in Congress,] in order that they may, if it shall seem expedient, acquaint the minister of his Catholic majesty with these sentiments of the executive. And that another copy be forwarded to Thomas Marshall, esquire, and the other gentlemen who concurred in the letter aforesaid. All which several matters so advised, the Governor orders accordingly.”

By a resolution of Congress, of the 24th of April, 1787, the Secretary of War was directed to order the commanding officer of the troops of the United States on the Ohio to take immediate and efficient measures “for dispossessing a body of men who had, in a lawless and unauthorized manner, taken possession of Post Vincennes in defiance of the proclamation and authority of the United States.”\* The correction of the erroneous reports concerning a supposed treaty between the United States and Spain, the timely measures which were adopted by some of the most distinguished citizens of Kentucky, the prompt action of the government of Virginia, and the resolution of Congress of the 24th of April, 1787, operating successively on the minds of the western settlers, fortunately prevented the breaking out of a war in which Spain and

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\*Old Journals, iv. 740.

France, bound together by a family compact, would have been opposed to the United States.

On the 13th of July, 1787, Congress passed an Ordinance for the government of the Territory of the United States northwest of the river Ohio.\* In the same legislative body, on the 21st of July, 1787, the following resolution was adopted:

“Resolved, That the superintendant of Indian Affairs for the northern department, and in case he be unable to attend, then Colonel Josiah Harmar, immediately proceed to Post Vincennes, or some other place more convenient, in his opinion, for holding a treaty with the Wabash Indians, the Shawanees, and other hostile tribes: that he inform those Indians that Congress is sincerely disposed to promote peace and friendship between their citizens and the Indians: that to this end, he is sent to invite them, in a friendly manner, to a treaty with the United States, to hear their complaints, to know the truth, and the causes of their quarrels with those frontier settlers;† and having invited those Indians to the treaty, he shall make strict enquiry into the causes of their uneasiness and hostile proceedings, and form a treaty of peace with them, if it can be done on terms consistent with the honor and dignity of the United States.”

In Congress, on the 3d of October, 1787, the following resolution was passed:—“Whereas the time for which the greater part of the troops on the frontiers are engaged, will expire in the course of the ensuing year:

Resolved, That the interests of the United States require that a corps of seven hundred troops should be stationed on the frontiers, to protect the settlers on the public lands from the depredations of the Indians; to facilitate the surveying and selling the said lands, in order to reduce the public debt, and to prevent all unwarrantable intrusions thereon.”

On the 14th of November, 1787, the Secretary of War di-

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\*See Appendix D.

†“In my opinion our Indian Affairs have been ill managed. Indians have been murdered by our people in cold blood; and no satisfaction given: nor are they (the Indians) pleased with the avidity with which we seek to acquire their lands.”—[Letter, dated December 14, 1786, from John Jay to Thomas Jefferson.]

rected General Harmar,\* the commanding officer of the troops stationed on the borders of the Ohio, to endeavor to ascertain whether there was, at that time, any plan formed or forming among the western settlers for the invasion of the Spanish possessions. "In case," said the Secretary to General Harmar, "you shall receive such information on the subject as to remove all doubt that such a design is on the point of execution, you will form your post of such strength, if in your power, as will be able by force to prevent the passage of the party. Previously to exerting actual force you will represent, on behalf of the United States, to the persons conducting the enterprise, the criminality of their conduct and the obligation of the sovereign authority to prevent, at any hazard, such an audacious proceeding."

During the years 1787 and 1788, the commissioners of the United States did not succeed in their attempts to make a treaty with the hostile Indians who occupied the country on the northwestern side of the river Ohio. The hostile tribes insisted that the Ohio river should be the boundary between them and the United States. In the meantime General Harmar erected a fortification at the mouth of the river Muskingum, reinforced a small garrison at the Falls of the Ohio, and secretly despatched confidential agents to different parts of the country to ascertain the opinions of the western settlers on the subject of an invasion of the territories of Spain. Major John F. Hamtramck, of the United States army, was stationed at Post Vincennes, as commandant of that place. Among the first proclamations of that officer, there was one, of the 3d of October, 1787, issued to prevent the sale of intoxicating liquors to Indians.

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\* By an act of Congress, of July 31, 1787, Colonel Josiah Harmar was promoted to the rank of Brigadier General by brevet.

## CHAPTER XII.

BEFORE the deed of cession, of March 1st, 1784, the state of Virginia claimed the whole territory, lying northwest of the river Ohio and west of the state of Pennsylvania, extending northwardly to the northern boundary of the United States, as defined by the treaty of 1783, and westwardly to the river Mississippi. The states of New York, Massachusetts and Connecticut, also, by virtue of ancient royal charters, respectively claimed large territories lying north of the river Ohio and west and northwest of the western boundary of Pennsylvania. The claim of New York was, however, transferred to the United States, by a deed of cession, executed in Congress on the first day of March, 1781. The claim of the state of Massachusetts was assigned to the United States, on the 19th day of April, 1785; and on the 13th day of September, 1786, the state of Connecticut transferred to the United States her claim to lands in the west, reserving a tract of about three millions of acres, bounded on the north by Lake Erie, on the south by the forty-first degree of north latitude, and extending westwardly one hundred and twenty miles from the western boundary of Pennsylvania. This tract was called the Western Reserve of Connecticut. In the month of October, 1786, the Legislature of that state ordered a part of the tract, lying east of the river Cuyahoga, to be surveyed, and opened an office for the sale of the lands. In 1792, a tract containing about five hundred thousand acres of land, lying in the western part of the Reservation, was granted by Connecticut to certain citizens of that state, as a compensation for property burned and destroyed in the towns of New London, New Haven, Fairfield, and Norwalk,

by the British troops in the course of the Revolutionary war. The tract thus granted was called the Fire Lands. On the 30th of May, 1800, the jurisdictional claims of the state of Connecticut to all the territory called the Western Reserve of Connecticut was surrendered to the United States.

On the 23d of July, 1787, Congress adopted, the following order, to wit: "That the Board of Treasury be authorized and empowered to contract with any person or persons for a grant of a tract of land which shall be bounded by the Ohio from the mouth of Scioto to the intersection of the western boundary of the seventh range of townships now surveying;\* thence, by the said boundary, to the northern boundary of the tenth township from the Ohio; thence, by a due west line, to Scioto; thence, by the Scioto, to the beginning; upon the following terms to wit: The tract to be surveyed and its contents ascertained by the geographer, or some other officer of the United States, who shall plainly mark the said east and west line, and shall render one complete plat to the Board of Treasury, and another to the purchaser or purchasers. The purchaser or purchasers, within seven years from the completion of this work, to lay off the whole tract, at their own expense, into townships and fractional parts of townships, and to divide the same into lots, according to the land ordinance of the 20th of May, 1785; complete returns whereof to be made to the Treasury Board. The lot No. 16, in each township, or fractional part of a township, to be given perpetually for the purposes contained in the said ordinance. The lot No. 29, in each township or fractional part of a township, to be given perpetually for the purposes of religion. The lots No. 8, 11, and 26, in each township or fractional part of a township, to be reserved for the future disposition of Congress. Not more than two complete townships to be given perpetually for the purposes of an university, to be laid off by the purchaser or purchasers, as near the centre as may be, so that the same shall be of good land, to be applied to the intended object by the legislature of the state. The price to be not less than one dollar per

\*Sec Ordinance of 20th May, 1785.

acre for the contents of the said tract, excepting the reservations and gifts aforesaid, payable in specie, loan office certificates reduced to specie value, or certificates of liquidated debts of the United States, liable to a reduction by an allowance for bad land, and all incidental charges and circumstances whatever; *Provided*, that such allowance shall not exceed, in the whole, one third of a dollar per acre. \* \* \* Such of the purchasers as may possess rights for bounties of land to the late army, to be permitted to render the same in discharge of the contract, acre for acre: *Provided*, that the aggregate of such rights shall not exceed one seventh part of the land to be paid for: and provided, also, that there shall be no future claim against the United States on account of the said rights. Not less than five hundred thousand dollars of the purchase money to be paid down upon closing the contract, and the remainder upon the completion of the work to be performed by the geographer, or other officer on the part of the United States. Good and sufficient security to be given by the purchaser or purchasers for the completion of the contract on his or their part. The grant to be made on the full payment of the consideration money, and a right of entry and occupancy to be acquired immediately for so much of the tract as shall be agreed upon between the Board of Treasury and the purchasers.”\*

On the 26th of July, 1787, Manasseh Cutler and Winthrop Sargent, acting as the agents of a company called “the Ohio Company of Associates,”† addressed the following letter to the Board of Treasury of the United States:

“NEW YORK, July 26, 1787.

Gentlemen: We observe by the act of the 23d instant that your honorable Board is authorised to enter into a contract for the sale of a tract of land therein described, on certain conditions expressed in the act. As we suppose this measure has been adopted in consequence of proposals made by us, in behalf of ourselves and associates, to a committee of Congress,

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\*Old Journals of Congress, 23d July, 1787.

†The “Ohio Company of Associates” was organized at Boston, and was composed chiefly of Revolutionary officers and soldiers.—Vide N. Am. Rev. vol. liii, p. 323.

we beg leave to inform you that we are ready to enter into a contract for the purchase of the lands described in the act; provided you can conceive yourselves authorized to admit of the following conditions, which in some degree vary from the report of the committee, viz:

The subordinate surveys shall be completed as mentioned in the act, unless the frequency of Indian irruptions may render the same impracticable without a heavy expense to the company.

The mode of payment we propose, is half a million of dollars when the contract is executed; another half million when the tract as described is surveyed by the proper officer of the United States; and the remainder in six equal payments, computed from the date of the second payment.

The lands assigned for the establishment of an university to be as nearly as possible in the centre of the first million and a half of acres we shall pay for:—for, to fix it in the centre of the proposed purchase, might too long defer the establishment.

When the second payment is made the purchasers shall receive a deed for as great a quantity of land as a million of dollars will pay for, at the price agreed on: after which we will agree not to receive any further deeds for any of the lands purchased, only at such periods, and on such conditions as may be agreed on betwixt the Board and the purchasers.

As to the security, which the act says shall be good and sufficient, we are unable to determine what those terms may mean in the contemplation of Congress, or of your honorable Board; we shall, therefore, only observe that our private fortunes, and that of most of our associates, being embarked in the support of the purchase, it is not possible for us to offer any adequate security but that of the land itself, as is usual in great land purchases.

We will agree so to regulate the contracts, that we shall never be entitled to a right of entry or occupancy, but on the lands actually paid for, nor receive any deeds till our payments amount to a million of dollars, and then only in proportion to such payment. The advance we shall always be under without

any formal deed, together with the improvements made on the lands, will, we presume, be ample security, even if it was not the interest as well as the disposition of the company to lay the foundation of their establishment on a sacred regard to the rights of property. If these terms are admitted we shall be ready to conclude the contract.

We have the honor to be, with the greatest respect, for ourselves and associates, gentlemen, your ob't. humble serv'ts.

MAN'H. CUTLER,

WINTHROP SARGENT."\*

On the 27th of October, 1787, Manasseh Cutler and Winthrop Sargent, as agents for the "Ohio Company of Associates," entered into a contract with the Board of Treasury for the purchase of one million five hundred thousand† acres of land, lying within the bounds of the tract which was offered for sale by the act of Congress, of the 23d July, 1787; and, on the same day, (27th October,) Messrs. Cutler and Sargent contracted with the Board of Treasury for the remainder of the tract. On the 29th of October, 1787, articles of agreement were made between Manasseh Cutler and Winthrop Sargent, and their associates, of the one part, and William Duer and his associates, of the other part, for one half of the second purchase, which half was assigned to Duer and his associates, who agreed to interest Cutler, Sargent and their associates, in the profits of the sale of the lands in Europe or elsewhere; and Duer was authorized to make such sale, and to employ an agent for that purpose. In consequence of this agreement, Joel Barlow was sent to Europe, as the agent of the contracting parties, to sell the lands; and, for the purpose of aiding the sale, a company was formed under the name of the Scioto Company, to whom the lands were conveyed. Mr. Barlow, and the agent of this company, conjointly, disposed of a con-

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\*Old Journals of Congress, 26th July, 1787.

†The quantity was afterwards reduced by consent of the parties to 964,285 acres, and the lands were conveyed, by letters patent under the seal of the United States, to Rufus Putnam, Manasseh Cutler, Robert Oliver, and Griffin Green, in trust for the persons composing "the Ohio Company of Associates."

siderable quantity of the lands to companies and individuals in France. A small number of the purchasers emigrated from France to the United States, in the year 1790, and founded on the northwestern side of the river Ohio, a French settlement, which they called Gallipolis.\*

On the 7th of April, 1788, eight families, under the direction of General Rufus Putnam, (who was one of the "Ohio Company of Associates,") arrived at the mouth of the river Muskingum, where they made a settlement, and laid the foundation of the town of Marietta.

On the 29th of August, 1787, before the first contract was fully made between the Board of Treasury of the United States and "the Ohio Company of Associates," John Cleves Symmes addressed the following petition to the President of Congress:

"NEW YORK, 29th August, 1787.

"To His Excellency the President of Congress, the petition of John Cleves Symmes, of New Jersey, sheweth:

That your petitioner, encouraged by the resolutions of Congress, of the 23d and 27th of July last, stipulating the condition of a transfer of federal lands on the Scioto and Muskingum rivers, unto Winthrop Sargent and Manasseh Cutler, esquires, and their associates of New England, is induced, on behalf of the citizens of the United States, westward of Connecticut, who also wish to become purchasers of federal lands, to pray that the honorable the Congress will be pleased to direct that a contract be made by the honorable the Commissioners of the Treasury Board, with your petitioner, for himself and his associates, in all respects similar in form and matter to the said grant made to Messrs. Sargent and Cutler, differing only in quantity, and place where, and that instead of two townships for the use of an University, that only one be assigned for the benefit of an Academy.

That by such transfer to your petitioner and his associates, on their complying with the terms of sale, the fee may pass of all the lands lying within the following limits, viz: Beginning at the mouth of the Great Miami river, thence, running up the

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\*American State Papers, Public Lands, vol. i, 24.—Laws U. S. i, 456, 492.—ii, 276.

Ohio, to the mouth of the Little Miami river; thence, up the main stream of the Little Miami river, to the place where a due west line, to be continued from the western termination of the northern boundary line of the grant to Messrs. Sargent, Cutler, and Company, shall intersect the said Little Miami river; thence, due west, continuing the said western line, to the place where the said line shall intersect the main branch or stream of the Great Miami river; thence, down the Great Miami, to the place of beginning.

JOHN C. SYMMES."

The foregoing letter was referred to the Board of Treasury on the 2d of October, 1787; and on the 15th of October, 1788, a contract was made between the Board and Symmes and his associates, for the sale of a tract of land of one million of acres. In the contract the boundaries of Symmes' purchase were defined as follows: "Beginning on the bank of the river Ohio at a spot exactly twenty miles distant along the several courses of the same from the place where the Great Miami empties itself into the said river Ohio; from thence, extending down the said river Ohio, along the several courses thereof, to the Great Miami river; thence, up the said river Miami, along the several courses thereof, to a place whence a line drawn due east will intersect a line drawn from the place of beginning aforesaid, parallel with the general course of the Great Miami river, so as to include one million of acres within those lines and the said rivers; and from that place, up the said Great Miami river, extending along such lines, to the place of beginning, containing as aforesaid one million of acres."

By an act of Congress, of the 12th of April, 1792, the President of the United States was authorized, at the request of John Cleves Symmes, to alter the first contract between the Board of Treasury and the said Symmes and his associates, so that the tract of land described in that contract might extend "from the mouth of the Great Miami to the mouth of the Little Miami, and be bounded by the river Ohio on the south, by the Great Miami on the west, by the Little Miami on the east, and by a parallel of latitude on the north, extending from the Great

Miami to the Little Miami, so as to comprehend the proposed quantity of one million of acres: Provided, that the northern limits of the said tract shall not interfere with the boundary line established by the treaty of Fort Harmar,\* between the United States and the Indian nations." The quantity of one million of acres could not be included within the bounds prescribed by this act; and Mr. Symmes and his associates, having encountered several unexpected and insurmountable obstacles, could not fulfil their contract with the Board of Treasury. The original purchase of one million of acres was therefore reduced to a tract of land bounded on the south by the river Ohio, on the west by the Great Miami river, on the east by the Little Miami river, and on the north by a parallel of latitude to be run from the Great Miami to the Little Miami so as to comprehend the quantity of three hundred and eleven thousand six hundred and eighty-two acres. For this tract of land letters patent, under the seal of the United States, were granted to Mr. Symmes and his associates, on the 30th of September, 1794.† The settlement of Symmes' purchase was commenced in 1789; in the course of which year Fort Washington was erected by a detachment of troops under the command of Major John Doughty, on a portion of the ground which is now the site of Cincinnati; and a few families settled on the rich bottom lands just below the mouth of the Little Miami river, where they laid the foundation of the town of Columbia. Sometime in the same year, a town, which was called Losantiville, was laid off on the lands adjoining Fort Washington.

Early in the year 1788, Major General Arthur St. Clair was appointed Governor of the Territory of the United States northwest of the river Ohio. St. Clair was a native of Scotland, from which country he came to the British colonies of North America, in 1755. He joined the Royal American or 60th British Regiment, and served under General Amherst at the taking of Louisbourg, in 1758. He carried a standard at the

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\*See Appendix E.

†American State Papers, Public Lands, vol. i, 93, 115.—Laws U. S. vol. i, 457, 494, 495, 497;—vol. ii, 270, 287;—vol. iii, 264, 428, 502, 541, 554.

storming and capture of Quebec by the troops under General Wolfe, in 1759. Soon after the peace of 1763, he settled in Ligonier valley, in the western part of the province of Pennsylvania, where he continued to reside until the commencement of the Revolutionary war, when, having received from Congress a commission of Colonel, he joined the American army with a regiment of seven hundred and fifty men. Having been promoted to the rank of Major General, he was tried by a Court Martial, in 1778, for evacuating Ticonderoga\* and Mount Independence. He was, however, unanimously acquitted, with the highest honor, of all the charges which were brought against him; and from this time, holding the rank of a Major General, he continued to act in the service of the United States until the close of the war. In a letter to the honorable William B. Giles, of Virginia, St. Clair wrote as follows: "In the year 1786 I entered into the public service in civil life, and was a member of Congress, and President of that body, when it was determined to erect a government in the country to the west, that had been ceded by Virginia to the United States; and in the year 1788, the office of Governor was in a great measure forced on me. The losses I had sustained in the Revolutionary war, from the depreciation of the money and other causes, had been very great; and my friends saw in this new government means that might be in my power to compensate myself, and to provide handsomely for my numerous family. They did not know how little I was qualified to avail myself of those advantages, if they had existed. I had neither taste nor genius for speculation in land: neither did I think it very consistent with the office."

By the first instructions which Governor St. Clair received from Congress, in 1788, he was authorized and directed, Firstly: To examine carefully into the real temper of the Indians. Secondly: To remove, if possible, all causes of controversy, so

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\*On the evacuation of Ticonderoga, St. Clair said to Major James Wilkinson, "I know I could save my character by sacrificing the army; but were I to do so, I should forfeit that which the world could not restore, and which it cannot take away—the approbation of my own conscience."—Wilkinson's memoirs, i, 35.

that peace and harmony might be established between the United States and the Indian tribes. Thirdly: To regulate trade among the Indians. Fourthly: To neglect no opportunity that might offer of extinguishing the Indian rights to lands westward as far as the river Mississippi, and northward as far as the completion of the forty-first degree of north latitude. Fifthly: To use every possible endeavor to ascertain the names of the real head men and warriors of the several tribes, and to attach these men to the United States by every possible means. Sixthly: To make every exertion to defeat all confederations and combinations among the tribes, and to conciliate the white people inhabiting the frontiers towards the Indians.\* In the month of July, 1788, Governor St. Clair arrived at the new town of Marietta, at the mouth of the river Muskingum, where he began to organize the government of the northwestern territory, according to the provisions of the Ordinance of 1787. At Marietta, in the county of Washington, before the close of the year 1788, the Governor and the Judges of the General Court of the Territory, (Samuel Holden Parsons, James Mitchell Varnum, and John Cleves Symmes,) adopted and published various laws under the following titles, viz:

I.—A law for regulating and establishing the militia in the territory of the United States northwest of the river Ohio.

II.—A law for establishing general Courts of Quarter Sessions of the Peace, (and therein of the powers of single Justices,) and for establishing County Courts of Common Pleas, (and therein of the power of single Judges to hear and determine upon small debts and contracts,) and also a law for establishing the office of Sheriff, and for the appointment of Sheriffs:—Published on the 23d of August.

III.—A law establishing a Court of Probate:—Published on the 30th of August.

IV.—A law for fixing the terms of the General Court of the Territory of the United States northwest of the river Ohio: Published on the 30th of August.

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\*Secret Journals of Congress, i, 277.

This law was in the words following:—"The General Court for the territory of the United States northwest of the river Ohio, shall hold pleas, civil and criminal, at four certain periods or terms in each and every year in such counties as the judges shall from time to time deem most conducive to the general good; they giving timely notice of the place of their sitting: that is to say, upon the first Monday of February, May, October, and December. Provided, however, that but one term be holden in any one county in a year; and that all processes, civil and criminal, shall be returnable to said Court wheresoever they may be in said territory. And as circumstances may so intervene as to prevent a session of the Court at the time and place fixed upon, it shall and may be lawful for the Court, to adjourn from time to time, by writ directed to the Sheriff of the county; and to continue all process accordingly: And in case neither of the Judges shall attend at the time and place aforesaid, and no writ be received by the Sheriff, it shall be his duty to adjourn the Court from day to day during the first six days of the term; and then to the next term; to which all processes shall be continued as aforesaid. Provided, however, that all issues in fact shall be tried in the county where the cause of action shall have arisen."

V.—A law respecting oaths of office:—Published on the 2d of September.

VI.—A law respecting Crimes and Punishments:—Published on the 6th of September. By this statute, the crimes of treason, murder, and house-burning, (in cases where death ensued from such burning,) were respectively punishable by death. The crimes of burglary and robbery were each punishable by whipping, (not exceeding thirty-nine stripes,) fine, and imprisonment for any term not exceeding forty years. For the crime of perjury the offender was punishable by a fine not exceeding sixty dollars, or whipping, not exceeding thirty-nine lashes, and disfranchisement, and standing in the pillory for a space of time not exceeding two hours. Larceny was punishable by fine or whipping, at the discretion of the Court. If the convict could not pay the fine of the court, it was lawful

for the sheriff, by the direction of the court, to bind such convict to labor for a term not exceeding seven years, to any suitable person who would pay such fine. Forgery was punishable by fine, disfranchisement, and standing in the pillory for a space of time not exceeding three hours. The following sections are copied from the statute respecting crimes and punishments:

“If any children or servants shall, contrary to the obedience due to their parents or masters, resist or refuse to obey their lawful commands, upon complaint thereof to a Justice of the Peace, it shall be lawful for such Justice to send him or them so offending, to the jail or house of correction, there to remain until he or they shall humble themselves to the said parent’s or master’s satisfaction. And if any child or servant shall, contrary to his bounden duty, presume to assault or strike his parent or master, upon complaint and conviction thereof, before two or more Justices of the Peace, the offender shall be whipped not exceeding ten stripes.”

“If any person shall be convicted of drunkenness before one or more Justices of the Peace, the person so convicted shall be fined, for the first offence, in the sum of five dimes, and for every succeeding offence, and upon conviction, in the sum of one dollar; and in either case, upon the offender’s neglecting or refusing to pay the fine, he shall be set in the stocks for the space of one hour. Provided, however, that complaint be made to the Justice or Justices within two days next after the offence shall have been committed.”

“Whereas, idle, vain and obscene conversation, profane cursing and swearing, and more especially the irreverently mentioning, calling upon, or invoking the Sacred and Supreme Being, by any of the divine characters in which he hath graciously condescended to reveal his infinitely beneficent purposes to mankind, are repugnant to every moral sentiment, subversive of every civil obligation, inconsistent with the ornaments of polished life, and abhorrent to the principles of the most benevolent religion. It is expected, therefore, if crimes of this kind should exist, they will not find encouragement,

countenance, or approbation in this Territory. It is strictly enjoined upon all officers and ministers of justice, upon parents and others, heads of families, and upon others of every description, that they abstain from practices so vile and irrational; and that by example and precept, to the utmost of their power they prevent the necessity of adopting and publishing laws, with penalties upon this head. And it is hereby declared that Government will consider as unworthy its confidence all those who may obstinately violate these injunctions."

"Whereas mankind in every stage of informed society, have consecrated certain portions of time to the particular cultivation of the social virtues, and the public adoration and worship of the common Parent of the Universe: and whereas a practice so rational in itself and conformable to the divine precepts is greatly conducive to civilization as well as morality and piety: and whereas for the advancement of such important and interesting purposes, most of the Christian world have set apart the first day of the week, as a day of rest from common labors and pursuits; it is therefore enjoined that all servile labor, works of necessity and charity only excepted, be wholly abstained from on said day."

VII.—A law regulating Marriages: The third section of this law was in the words following:—"Previously to persons being joined in marriage as aforesaid, the intention of the parties shall be made known by publishing the same for the space of fifteen days at the least, either by the same being publicly and openly declared three several Sundays, holy days, or other days of public worship in the meeting in the towns where the parties respectively belong, or by publication in writing under the hand and seal of one of the Judges before mentioned, or of a Justice of the Peace within the county, to be affixed in some public place in the town wherein the parties respectively dwell; or a license shall be obtained of the Governor under his hand and seal, authorizing the marriage of the parties without publication, as is in this law before required."

VIII.—A law in addition to a law entitled "A law for regulating and establishing the Militia in the territory of the Uni-

ted States northwest of the river Ohio." Published on the 23d of November.

IX.—A law appointing Coroners:—Published on the 21st of December.

X.—A law limiting the times of commencing civil actions and instituting criminal prosecutions:—Published on the 28th of December.

On the 9th day of January, 1789, at Fort Harmar, which stood at the mouth of the river Muskingum, Governor St. Clair made a treaty with a number of the sachems and warriors of the Six Nations,\* and also a treaty with several different sachems and warriors of the Wyandot, Delaware, Ottawa, Chippewa, Pottawattamie, and Sac nation of Indians.† These latter nations, however, refused, for reasons which will appear in a subsequent chapter, to acknowledge the validity of the treaty of Fort Harmar; and, early in the spring of 1789, small roving parties of Indians began to commit depredations on defenceless white settlements along the western frontiers of Virginia and Kentucky. On the 15th of June, 1789, General Knox, Secretary of War, made to the President of the United States a report relative to the Indians who resided in the territory northwest of the river Ohio. In this report the Secretary said: "By information from Brigadier General Harmar, the commanding officer of the troops on the frontiers, it appears that several murders have been lately committed on the inhabitants, by small parties of Indians probably from the Wabash country. Some of the said murders having been perpetrated on the south side of the Ohio, the inhabitants on the waters of that river are exceedingly alarmed, for the extent of six or seven hundred miles along the same. It is to be observed that the United States have not formed any treaties with the Wabash Indians; on the contrary, since the conclusion of the war with Great Britain, hostilities have almost constantly existed between the people of Kentucky and the said Indians. The injuries and murders have been so reciprocal that it would be

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\*See Appendix E.

†See Appendix E.

a point of critical investigation to know on which side they have been the greatest. Some of the inhabitants of Kentucky during the past year, roused by recent injuries, made an incursion into the Wabash country, and possessing an equal aversion to all bearing the name of Indians, they destroyed a number of peaceable Piankeshaws who prided themselves in their attachment to the United States. Things being thus circumstanced, it is greatly to be apprehended that hostilities may be so far extended as to involve the Indian tribes with whom the United States have recently made treaties. It is well known how strong the passion for war exists in the mind of a young savage, and how easily it may be inflamed, so as to disregard every precept of the older and wiser part of the tribes who may have a more just opinion of the force of a treaty. Hence, it results that unless some decisive measures are immediately adopted to terminate those mutual hostilities, they will probably become general among all the Indians northwest of the Ohio.

“In examining the question how the disturbances on the frontiers are to be quieted, two modes present themselves, by which the object might perhaps be effected: the first of which is by raising an army and extirpating the refractory tribes entirely: or, secondly, by forming treaties of peace with them, in which their rights and limits should be explicitly defined, and the treaties observed on the part of the United States with the most rigid justice, by punishing the whites who should violate the same.

“In considering the first mode, an enquiry would arise, *whether, under the existing circumstances of affairs, the United States have a clear right, consistently with the principles of justice and the laws of nature, to proceed to the destruction or expulsion of the savages on the Wabash, supposing the force for that object easily attainable.* It is presumable that a nation solicitous of establishing its character on the broad basis of justice, would not only hesitate at, but reject every proposition to benefit itself, by the injury of any neighboring community, however contemptible and weak it may be, either with respect

to its manners or power. When it shall be considered that the Indians derive their subsistence chiefly by hunting, and that, according to fixed principles, their population is in proportion to the facility with which they procure their food, it would most probably be found that the expulsion or destruction of the Indian tribes have nearly the same effect: for if they are removed from their usual hunting grounds, they must necessarily encroach on the hunting grounds of another tribe, who will not suffer the encroachment with impunity—hence they destroy each other. The Indians, being the prior occupants, possess the right of the soil. It cannot be taken from them unless by their free consent, or by the right of conquest in case of a just war. To dispossess them on any other principle, would be a gross violation of the fundamental laws of nature, and of that distributive justice which is the glory of a nation. But, if it should be decided, on an abstract view of the question to be just, to remove by force the Wabash Indians from the territory they occupy, the finances of the United States would not at present admit of the operation.

“By the best and latest information it appears that, on the Wabash and its communications, there are from fifteen hundred to two thousand warriors. An expedition against them, with a view of extirpating them, or destroying their towns, could not be undertaken with a probability of success, with less than an army of two thousand five hundred men. The regular troops of the United States on the frontiers are less than six hundred: \* of that number not more than four hundred could be collected from the posts for the purpose of the expedition. To raise, pay, feed, arm, and equip one thousand nine hundred additional men, with the necessary officers, for six months, and to provide every thing in the hospital and quartermaster’s line, would require the sum of two hundred thousand dollars, a sum far exceeding the ability of the United States to advance, consistently with a due regard to other indispensable objects.”

On the 26th of August, 1789, about two hundred mounted

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\*Detachments of regular troops were stationed at Fort Pitt, Fort Harmar, Fort Washington, Fort Steuben, (at the Falls of the Ohio,) and at Post Vincennes.

volunteers under the command of Colonel John Hardin, marched from the Falls of the Ohio to attack some of the Indian towns on the Wabash. This expedition returned to the Falls on the 28th of September, without the loss of a man; having killed six Indians, plundered and burnt one deserted village, and destroyed a considerable quantity of corn.

On the 14th of September, 1789, Governor St. Clair addressed to President Washington a letter from which the following is an extract:—"The constant hostilities between the Indians who live upon the river Wabash and the people of Kentucky, must necessarily be attended with such embarrassing circumstances to the government of the northwestern territory, that I am induced to request you will be pleased to take the matter into consideration, and give me the orders you may think proper. It is not to be expected, sir, that the Kentucky people will or can submit patiently to the cruelties and depredations of those savages. They are in the habit of retaliation, perhaps *without attending precisely to the nations from which the injuries are received*. They will continue to retaliate, or they will apply to the Governor of the northwestern territory (through which the Indians must pass to attack them) for redress. If he cannot redress them, (and in the present circumstances he cannot,) they also will march through that country to redress themselves, and the government will be laid prostrate. The United States, on the other hand, are at peace with several of the nations, and should the resentment of these people [the Kentuckians] fall upon any of them, which it is likely enough to happen, very bad consequences may follow. For it must appear to them [the Indians] that the United States either pay no regard to their treaties, or that they are unable or unwilling to carry their engagements into effect. \* \* \* They will unite with the hostile nations, prudently preferring open war to a delusive and uncertain peace."

By an act of Congress, of the 29th of September, 1789, the President of the United States was empowered to call forth the militia of the states respectively, for the protection of the frontiers against the incursions of hostile Indians; and, on the

6th of October, 1789, the President, in his official instructions to Governor St. Clair said, "It is highly necessary that I should as soon as possible, possess full information, whether the Wabash and Illinois Indians are most inclined for war or peace. If for the former, it is proper that I should be informed of the means which will most probably induce them to peace. If a peace can be established with the said Indians on reasonable terms, the interests of the United States dictate that it should be effected as soon as possible. You will, therefore, inform the said Indians of the disposition of the General Government on this subject, and of their reasonable desire that there should be a cessation of hostilities as a prelude to a treaty."

"If, however, notwithstanding your intimations to them, they should continue their hostilities, or meditate any incursion against the frontiers of Virginia and Pennsylvania, or against any of the troops or posts of the United States, and it should appear to you that the time of execution would be so near as to forbid your transmitting the information to me, and receiving my orders thereon, then you are hereby authorized and empowered, in my name, to call on the Lieutenants of the nearest counties of Virginia and Pennsylvania, for such detachments of Militia as you may judge proper, not exceeding, however, one thousand from Virginia and five hundred from Pennsylvania. \* \* \* The said Militia to act in conjunction with the Federal troops, in such operations offensive or defensive, as you and the commanding officer of the troops, conjointly, shall judge necessary for the public service, and the protection of the inhabitants and the posts. The said Militia, while in actual service, to be on the continental establishment of pay and rations: they are to arm and equip themselves, but to be furnished with public ammunition if necessary; and no charge for the pay of said Militia will be valid unless supported by regular musters, made by a field or other officer of the Federal troops.

"I would have it observed forcibly, that a war with the Wabash Indians ought to be avoided by all means consistently with the security of the troops and the national dignity. In

the exercise of the present indiscriminate hostilities, it is extremely difficult, if not impossible, to say that a war without further measures would be just on the part of the United States. But, if, after manifesting clearly to the Indians the disposition of the General Government for the preservation of peace, and the extension of a just protection to the said Indians, they should continue their incursions, the United States will be constrained to punish them with severity.

“You will, also, proceed, as soon as you can, with safety, to execute the orders of the late Congress, respecting the inhabitants at Post Vincennes, and at the Kaskaskias, and the other villages on the Mississippi. It is a circumstance of some importance, that the said inhabitants should, as soon as possible, possess the lands to which they are entitled, by some known and fixed principles.”

The last paragraph of the foregoing instructions was based upon the resolutions of Congress of the 20th June and 29th August, 1788.\* By these resolutions provisions were made for confirming in their possessions and titles the French and Canadian inhabitants, and other settlers, about Kaskaskia and Post Vincennes, who, on or before the year 1783, had professed themselves citizens of the United States, or any of them. By the same resolutions a tract of four hundred acres of land was donated to each head of a family of this description of settlers.

About the 1st of January, 1790, Governor St. Clair, with the Judges of the Supreme Court of the Territory, descended the river Ohio, from Marietta to Fort Washington, at Losantiville. At this place the Governor laid out the county of Hamilton, appointed magistrates and other civil officers for the administration of justice in that county, and changed the name of the town from Losantiville to Cincinnati. On the 8th of January, 1790, St. Clair, and Winthrop Sargent, Secretary of the Territory, arrived at Clarksville, whence they proceeded to the Illinois country, to organize the government in that quarter, and to carry into effect the resolutions of Congress relative to the lands and settlers about Kaskaskia and Post Vincennes. Before

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\*Old Journals, vol. iv. 823—858.

the Governor left Clarksville, however, he sent to Major Hamtramck, the commanding officer at Post Vincennes, despatches containing speeches which were addressed to the Indian tribes on the Wabash. Among the despatches there was also a letter (dated "Fort Steuben, Jan. 23, 1790,") which contained the following instructions:

"It is with great pain that I have heard of the scarcity of corn which reigns in the settlements about the Post [Vincennes.] I hope it has been exaggerated; but it is represented to me that unless a supply of that article can be sent forward, the people must actually starve. Corn can be had here in any quantity: but can the people pay for it? I entreat you to enquire into that matter, and if you find they cannot do without it, write to the Contractor's Agent here, to whom I will give orders to send forward such quantity as you may find to be absolutely necessary. They must pay for what they can of it; but they must not be suffered to perish: and though I have no direct authority from the government for this purpose, I must take it upon myself."

Governor St. Clair, on his arrival at Kaskaskia early in the year 1790, laid out the county of St. Clair, appointed magistrates, and other civil officers, and, by a proclamation issued in March, directed the inhabitants to exhibit to him their titles and claims to the lands which they held, in order that they might be confirmed in their possessions. A considerable number of claims and title deeds were accordingly exhibited, examined, and decided upon; and orders of survey for such as were found authentic were issued; which was necessary to be done before patents of confirmation could be made out.\* The Governor, in a report which he made to the Secretary of State, in 1790, said—"Orders of survey were issued for all the claims at Kaskaskia, that appeared to be founded agreeably to the resolutions of Congress; and surveys were made of the greater part of them. A part only of those surveys, however, have been returned, because the people objected to paying the surveyor, and it is too true that they are ill able to pay.

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\*Report of Governor St. Clair, 1790.

“The Illinois country, as well as that upon the Wabash, has been involved in great distress ever since it fell under the American dominion. With great cheerfulness the people furnished the troops under General [George Rogers] Clark, and the Illinois regiment, with every thing they could spare, and often with much more than they could spare with any convenience to themselves. Most of the certificates for these supplies are still in their hands, unliquidated and unpaid; and, in many instances where application has been made for payment to the state of Virginia, under whose authority the certificates were granted, it has been refused. The Illinois regiment being disbanded, a set of men pretending the authority of Virginia, embodied themselves, and a scene of general depredation and plunder ensued. To this succeeded three successive and extraordinary inundations from the Mississippi, which either swept away their crops, or prevented their being planted. The loss of the greatest part of their trade with the Indians, which was a great resource, came upon them at this juncture, as well as the hostile incursions of some of the tribes which had ever before been in friendship with them: and to these was added the loss of their whole last crop of corn by an untimely frost. Extreme misery could not fail to be the consequence of such accumulated misfortunes.”

At this period the miserable condition of the French inhabitants about Kaskaskia and Cahokia, was pathetically described in a memorial which was dated “St. Clair County, June 9th, 1790,” addressed “To His Excellency Arthur St. Clair, Governor and Commander in chief of the Territory of the United States northwest of the River Ohio,” and signed by “P. Gibault, Priest,”\* and eighty-seven others. The following is an extract from the memorial:

“The memorial humbly sheweth that by an act of Congress of June 20th, 1788, it was declared that the lands heretofore possessed by the said inhabitants should be surveyed at their expense; and that this clause appears to them neither neces-

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\*The same ecclesiastic, who, in 1778, visited Post Vincennes in the capacity of a messenger from General Clark, and as a devoted friend of the United States.

sary nor adapted to quiet the minds of the people. It does not appear necessary, because from the establishment of the colony to this day, they have enjoyed their property and possessions without disputes or lawsuits on the subject of their limits: that the surveys of them were made at the time the concessions were obtained from their ancient Kings, Lords and Commandants; and that each of them knew what belonged to him without attempting an encroachment on his neighbor, or fearing that his neighbor would encroach on him. It does not appear adapted to pacify them, because, instead of assuring to them the peaceable possession of their ancient inheritances, as they have enjoyed it till now, that clause obliges them to bear expenses which, in their present situation, they are absolutely incapable of paying, and for the failure of which they must be deprived of their lands.

“Your Excellency is an eye witness of the poverty to which the inhabitants are reduced, and of the total want of provisions to subsist on. *Not knowing where to find a morsel of bread to nourish their families*, by what means can they support the expense of a survey which has not been sought for on their parts, and for which, it is conceived by them, there is no necessity? *Loaded with misery, and groaning under the weight of misfortunes, accumulated since the Virginia troops entered their country*, the unhappy inhabitants throw themselves under the protection of your Excellency, and take the liberty to solicit you to lay their deplorable situation before Congress; and, as it may be interesting for the United States to know exactly the extent and limits of their ancient possessions in order to ascertain the lands which are yet at the disposal of Congress, it appears to them, in their humble opinion, that the expense of the survey ought more properly to be borne by Congress, for whom alone it is useful, than by them who do not feel the necessity of it. Besides, this is no object for the United States; but it is great, too great, for *a few unhappy beings who, your Excellency sees yourself, are scarcely able to support their pitiful existence.*”

## CHAPTER XIII.

ON the 5th of April, 1790, by order of Major Hamtramck, Antoine Gamelin started from Post Vincennes with the speeches addressed by Governor St. Clair to the Wabash Indians. Mr. Gamelin delivered the speeches at all the principal Indian villages lying near to the borders of the river Wabash, and as far eastward as the Miami village of Ke-ki-ong-gay, which stood at the junction of the rivers St. Joseph and St. Mary's, about the site which is now occupied by the town of Fort Wayne. An extract from the journal\* of the messenger, Gamelin, will serve, in part, to show the feelings with which the Indians regarded the overtures of peace that were made to them by Governor St. Clair.

"The first village I arrived to [says Mr. Gamelin] is called Kikapouguoi. The name of the chief of this village is called *Les Jambes Croches*. Him and his tribe have a good heart, and accepted the speech. The second village is at the river du Vermillion, called Piankeshaws. The first chief, and all the warriors, were well pleased with the speeches concerning the peace: but they said they could not give presently a proper answer, before they consult the Miami nation, their eldest brethren. They desired me to proceed to the Miami town, [Ke-ki-ong-gay,] and, by coming back, to let them know what reception I got from them. The said head chief told me that he thought the nations of the lake had a bad heart, and were ill disposed for the Americans: that the speeches would not be received, particularly by the Shawanees at Miamitown. \* \* \*

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\*On the 17th of May, 1790, before Major Hamtramck, at Post Vincennes, Mr. Gamelin, being put on his oath, swore that the statements contained in his journal were true.

The 11th of April I reached a tribe of Kickapoos. The head chief and all the warriors being assembled, I gave them two branches of white wampum, with the speeches of His Excellency Arthur St. Clair, and those of Major Hamtramck. It must be observed that the speeches have been in another hand before me. The messenger could not proceed further than the Vermillion, on account of some private wrangling between the interpreter and some chief men of the tribe. Moreover, something in the speech displeased them very much, which is included in the third article, which says, '*I do now make you the offer of peace: accept it, or reject it, as you please.*' These words appeared to displease all the tribes to whom the first messenger was sent. They told me they were menacing; and finding that it might have a bad effect, I took upon myself to exclude them; and, after making some apology, they answered that he and his tribe were pleased with my speech, and that I could go up without danger, but they could not presently give me an answer, having some warriors absent, and without consulting the Ouiatenons, being the owners of their lands. They desired me to stop at Quitepiconnæ, [Tippecanoe,] that they would have the chiefs and warriors of Ouiatenons and those of their nation assembled there, and would receive a proper answer. They said that they expected by me a draught of milk from the great chief, and the commanding officer of the Post, for to put the old people in good humor; also some powder and ball for the young men for hunting, and to get some good broth for their women and children: that I should know a bearer of speeches should never be with empty hands. They promised me to keep their young men from stealing, and to send speeches to their nations in the prairies for to do the same.

"The 14th April the Ouiatenons and the Kickapoos were assembled. After my speech one of the head chiefs got up and told me—"You, Gamelin, my friend, and son-in-law, we are pleased to see in our village, and to hear by your mouth, the good words of the great chief. We thought to receive a few words from the French people; but I see the contrary.

None but the Big Knife is sending speeches to us. You know that we can terminate nothing without the consent of our brethren the Miamies. I invite you to proceed to their village and to speak to them. There is one thing in your speech I do not like: I will not tell of it: even was I drunk, I would perceive it: but our elder brethren will certainly take notice of it in your speech. You invite us to stop our young men. It is impossible to do it, being constantly encouraged by the British.' Another chief got up and said — 'The Americans are very flattering in their speeches: many times our nation went to their rendezvous. I was once myself. Some of our chiefs died on the route; and we always came back all naked: and you, Gamelin, you come with speech, with empty hands.' Another chief got up and said to his young men, 'If we are poor, and dressed in deer skins, it is our own fault. Our French traders are leaving us and our villages, because you plunder them every day; and it is time for us to have another conduct.' Another chief got up and said, 'Know ye that the village of Ouiatenon is the sepulchre of all our ancestors. The chief of America invites us to go to him, if we are for peace. He has not his leg broke, having been able to go as far as the Illinois. He might come here himself; and we should be glad to see him at our village. We confess that we accepted the axe, but it is by the reproach we continually receive from the English and other nations, which received the axe first, calling us women: at the present time they invite our young men to war. As to the old people, they are wishing for peace.' They could not give me an answer before they received advice from the Miamies, their elder brethren.

"The 18th April I arrived at the river a l'Anguille, [Eel River.] The chief of the village,\* and those of war were not present. I explained the speeches to some of the tribe. They said they were well pleased; but they could not give me an answer, their chief men being absent. They desired me to

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\*This village stood on the north side of Eel river, about six miles above the junction of that stream with the Wabash.

stop at their village coming back; and they sent with me one of their men for to hear the answer of their eldest brethren.

“The 23d April I arrived at the Miami town. The next day I got the Miami nation, the Shawanees, and Delawares, all assembled. I gave to each nation two branches of wampum, and began the speeches, before the French and English traders, being invited by the chiefs to be present, having told them myself I would be glad to have them present, having nothing to say against any body. After the speech, I showed them the treaty concluded at Muskingum [Fort Harmar,] between his Excellency Governor St. Clair and sundry nations, which displeased them. I told them that the purpose of this present time was not to submit them to any condition, but to offer them the peace, which made disappear their displeasure. The great chief told me that he was pleased with the speech; that he would soon give me an answer. In a private discourse with the great chief, he told me not to mind what the Shawanees would tell me, having a bad heart, and being the perturbators of all the nations. He said the Miamies had a bad name, on account of mischief done on the river Ohio; but he told me it was not occasioned by his young men, but by the Shawanees; his young men going out only for to hunt.

“The 25th of April, Blue Jacket, chief warrior of the Shawanees, invited me to go to his house, and told me, ‘My friend, by the name and consent of the Shawanees and Delawares I will speak to you. We are all sensible of your speech, and pleased with it: but, after consultation, we cannot give an answer without hearing from our father at Detroit; and we are determined to give you back the two branches of wampum, and to send you to Detroit to see and hear the chief, or to stay here twenty nights for to receive his answer. From all quarters we receive speeches from the Americans, and not one is alike. We suppose that they intend to deceive us. Then take back your branches of wampum.’

“The 26th, five Pottawattamies arrived here with two negro men, which they sold to English traders. The next day I went

to the great chief of the Miamies, called Le Gris. His chief warrior was present. I told him how I had been served by the Shawanees. He answered me that he had heard of it: that the said nations behaved contrary to his intentions. He desired me not to mind those strangers, and that he would soon give me a positive answer.

“The 28th April, the great chief desired me to call at the French trader’s and receive his answer. ‘Don’t take bad,’ said he, ‘of what I am to tell you. You may go back when you please. We cannot give you a positive answer. We must send your speeches to all our neighbors, and to the Lake nations. We cannot give a definitive answer without consulting the commandant at Detroit.’ And he desired me to render him the two branches of wampum refused by the Shawanees; also, a copy of speeches in writing. He promised me that, in thirty nights, he would send an answer to Post Vincennes, by a young man of each nation. He was well pleased with the speeches, and said to be worthy of attention, and should be communicated to all their confederates, *having resolved among them not to do any thing without an unanimous consent*. I agreed to his requisitions, and rendered him the two branches of wampum, and a copy of the speech. Afterwards, he told me that the Five Nations, so called, or Iroquois, were training something; that five of them, and three Wyandots, were in this village with branches of wampum. He could not tell me presently their purpose; but he said I would know of it very soon.

“The same day Blue Jacket, chief of the Shawanees, invited me to his house for supper; and, before the other chiefs, told me that, after another deliberation, they thought necessary that I should go myself to Detroit, for to see the commandant, who would get all his children assembled for to hear my speech. I told them I would not answer them in the night: that I was not ashamed to speak before the sun.

“The 29th April I got them all assembled. I told them that I was not to go to Detroit: that the speeches were directed to the nations of the river Wabash and the Miami; and that, for

to prove the sincerity of the speech, and the heart of Governor St. Clair, I have willingly given a copy of the speeches, to be shown to the commandant of Detroit: and, according to a letter wrote by the commandant of Detroit to the Miamies, Shawanees, and Delawares, mentioning to you to be peaceable with the Americans, I would go to him very willingly, if it was in my directions, being sensible of his sentiments. I told them I had nothing to say to the commandant; neither him to me. You must immediately resolve, if you intend to take me to Detroit, or else I am to go back as soon as possible. Blue Jacket got up and told me, 'My friend, we are well pleased with what you say. Our intention is not to force you to go to Detroit: it is only a proposal, thinking it for the best. Our answer is the same as the Miamies. We will send, in thirty nights, a full and positive answer, by a young man of each nation, by writing to Post Vincennes.' In the evening, Blue Jacket, chief of the Shawanees, having taken me to supper with him, told me, in a private manner, that the Shawanee nation was in doubt of the sincerity of the Big Knives, so called, having been already deceived by them. That they had first destroyed their lands, put out their fire, and sent away their young men, being a hunting, without a mouthful of meat: also, had taken away their women; wherefore, many of them would, with great deal of pain, forget these affronts. Moreover, that some other nations were apprehending that offers of peace would, may be, tend to take away, by degrees, their lands; and would serve them as they did before: a certain proof that they intend to encroach on our lands, is their new settlement on the Ohio. If they don't keep this side [of the Ohio] clear, it will never be a proper reconciliation with the nations Shawanees, Iroquois, Wyandots, and, perhaps many others. Le Gris, chief of the Miamies, asked me, in a private discourse, what chief had made a treaty with the Americans at Muskingum, [Fort Harmar.] I answered him that their names were mentioned in the treaty. He told me he had heard of it some time ago; but they are not chiefs, neither delegates, who made that treaty: they are only young men,

who, without authority and instructions from their chiefs, have concluded that treaty, which will not be approved. They went to the treaty clandestinely, and they intend to make mention of it in the next council to be held.

“The 2d of May I came back to the river a l’Anguille. One of the chief men of the tribe being witness of the council at Miami town, repeated the whole to them; and whereas the first chief was absent, they said they could not for present time give answer; but they were willing to join their speech to those of their eldest brethren. ‘To give you proof of an open heart, we let you know that one of our chiefs is gone to war on the Americans; but it was before we heard of you; for certain they would not have been gone thither.’ They also told me that a few days after I passed their village seventy warriors, Chippewas and Ottawas from Michilimackinack, arrived there; some of them were Pottawattamies, who, meeting in their route, the Chippewas and Ottawas, joined them. ‘We told them what we heard by you: that your speech is fair and true. We could not stop them from going to war. The Pottawattamies told us, that, as the Chippewas and Ottawas were more numerous than them, they were forced to follow them.’

“The 3d of May I got to the Weas. They told me that they were waiting for an answer from their eldest brethren. ‘We approve very much our brethren for not to give a definitive answer, without informing of it all the Lake Nations: that Detroit was the place where the fire was lighted: then it ought first to be put out there: that the English commandant is their father, since he threw down our French father: they could do nothing without his approbation.’

“The 4th of May I arrived at the village of the Kickapoos. The chief, presenting me two branches of wampum, black and white, said, ‘My son, we cannot stop our young men from going to war. Every day some set off clandestinely for that purpose. After such behaviour from our young men, we are ashamed to say to the great chief at the Illinois and of the Post Vincennes, that we are busy about some good affairs for the reconciliation: but be persuaded that we will speak to

them continually concerning the peace; and that, when our eldest brethren will have sent their answer, we will join ours to it.'

"The 5th of May I arrived at Vermillion. I found nobody but two chiefs: all the rest were gone a hunting. They told me they had nothing else to say but what I was told going up."

Early in the month of June, 1790, Governor St. Clair, being at Kaskaskia, received from Major Hamtramck, despatches which induced him to believe that there was not the least probability of making a treaty of peace with the Miami Indians and their confederates.\* He therefore determined to return, by water, to the head quarters of General Harmar, at Fort Washington, and there to consult with that officer upon the means of carrying an expedition against the hostile Indians. He left Kaskaskia on the 11th of June, and arrived at Fort Washington on the 13th of July. Before his departure from the former place he committed to the Secretary of the Territory, Winthrop Sargent, the execution of the resolutions of Congress relative to the lands and settlers on the river Wabash, and directed that officer to proceed to Post Vincennes, lay out a county there, establish the militia, and appoint the necessary civil and military officers.

Mr. Sargent, upon whom the duties of Governor thus devolved, proceeded immediately from Kaskaskia to Post Vincennes, where he laid out the county of Knox, appointed various civil and military officers, organized the militia, notified the inhabitants to present their claims to lands, and carried the resolutions of Congress into effect, as to all the claims to which those resolutions could be clearly applied. "Although," (says Mr. Sargent, in a report which he made to President Wash-

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\*In one of these despatches, dated "Post Vincennes, May 22d, 1790," Major Hamtramck wrote as follows:—"I now enclose the proceedings of Mr. Gamelin, by which your Excellency can have no great hopes of bringing the Indians to a peace with the United States. The 8th of May Gamelin arrived, and on the 11th some merchants arrived, and informed me, that, as soon as Gamelin had passed their villages on his return, all the Indians had gone to war: that a large party of Indians from Michilimackinack, and some Pottawattamies had gone to Kentucky: and that three days after Gamelin had left the Miami [village] an American was brought there and burnt."

ington, on the 31st of July, 1790,) "the lands and lots which were awarded to the inhabitants appeared from very good oral testimony to belong to those persons to whom they were awarded, either by original grants, purchase, or inheritance, yet there was scarcely one case in twenty where the title was complete, owing to the desultory manner in which public business had been transacted, and some other unfortunate causes. The original concessions by the French and British commandants were generally made upon a small scrap of paper which it has been customary to lodge in the Notary's office, who has seldom kept any book of record, but committed the most important land concerns to loose sheets, which, in process of time, have come into the possession of persons that have fraudulently destroyed them, or, unacquainted with their consequence, innocently lost or trifled them away; for by the French usage they are considered as family inheritances, and often descend to women and children. In one instance, and during the government of Mr. St. Ange here, a royal Notary ran off with all the public papers in his possession, as by a certificate produced to me. And I am very sorry further to observe that in the office of Mr. Le Grand, which continued from the year 1777 to 1787, and where should have been the vouchers for important land transactions, the records have been so falsified, and there is such gross fraud and forgery as to invalidate all evidence and information which I might otherwise have acquired from his papers."

On the 13th of July, 1790, there were one hundred and forty-three heads of families at Post Vincennes, who were residents of that place on or before the year 1783. While the acting Governor was taking measures to confirm these ancient settlers in their possessions and rights, he received a petition signed by eighty Americans, praying for the confirmation of various grants of land which had been made by the Court of Post Vincennes, between the years 1779 and 1787. The French inhabitants also laid before Mr. Sargent a petition on the same subject; and when that officer requested some of the magistrates of the Court of Post Vincennes to give him their

reasons for having assumed the power to dispose of lands, he received the following answer:

“POST VINCENNES, July 3, 1790.

To the honorable Winthrop Sargent, esquire, Secretary in and for the Territory of the United States northwest of the river Ohio, and vested with all the powers of Governor and commander in chief:

Sir:—As you have given verbal orders to the magistrates who formerly composed the Court of the district of Post Vincennes, under the jurisdiction of the state of Virginia, to give you their reasons for having taken upon them to grant concessions for the lands within the district, in obedience thereto, we beg leave to inform you that their principal reason is, that since the establishment of this country, the commandants have always appeared to be vested with the power to give lands. Their founder, Mr. Vincennes, began to give concessions, and all his successors have given lands and lots. Mr. Legras was appointed commandant of Post Vincennes by the lieutenant of the county, John Todd, who was, in the year 1779, sent by the state of Virginia for to regulate the government of the country, and who substituted Mr. Legras with his power. In his absence, Mr. Legras, who was then commandant, assumed that he had, in quality of commandant, authority to give lands according to the ancient usages of other commandants; and he verbally informed the Court of Post Vincennes that, when they would judge it proper to give lands or lots to those who should come into the country to settle, or otherwise, they might do it; and that he gave them permission so to do. These are the reasons that we acted upon: and if we have done more than we ought, it was on account of the little knowledge which we had of public affairs.

F. BOSSERON,  
L. EDELINE,  
PIERRE GAMELIN,  
his  
PIERRE ✕ QUEREZ,”  
mark.

By an act of Congress of the 3d March, 1791,\* the Governor of the Territory of the United States northwest of the river Ohio, was empowered, in cases where lands had been actually improved and cultivated under a supposed grant for the same, to confirm to the persons who made such improvements, their heirs and assigns, the lands supposed to have been granted; not, however, exceeding the quantity of four hundred acres to any one person.

In the course of the summer of 1790, the acting Governor, Sargent, and the Judges of the Territory, John Cleves Symmes and George Turner, adopted and published three statutes bearing the following titles, viz:

I.—“An act to prohibit the giving or selling intoxicating liquors to Indians, residing in, or coming into the Territory of the United States northwest of the river Ohio, and for preventing foreigners from trading with Indians therein. Passed at Vincennes, the nineteenth day of July, 1790.”

II.—“An act prohibiting the sale of spirituous and other intoxicating liquors to soldiers in the service of the United States, being within ten miles of any military post within the Territory of the United States northwest of the river Ohio; and to prevent the selling or pawning of arms, ammunition, clothing and accoutrements. Passed at Vincennes, the twenty-sixth day of July, in the year of Christ, 1790.”

III.—“An act for suppressing and prohibiting every species of gaming for money or other property, and for making void contracts and payments made in consequence thereof, and for restraining the disorderly practice of discharging arms at certain hours and places. Passed at Vincennes, the fourth day of August, in the year of Christ, 1790.”

[The preamble and first section of this act are in the words following, viz.—“Whereas the population, happiness and prosperity of all countries, especially infant communities, necessarily depend upon the sobriety and industry of the people, and their attention to the moral and political duties of life, without which neither the great ends of society can be answered, nor

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\*Laws of the U. S. vol. ii, p. 231.

the blessings of good government be felt: And whereas many pernicious games have been publicly practised in this Territory tending to the corruption of morals and the increase of vice and idleness, and by which the honest and unsuspecting citizen may be defrauded, and deserving families be reduced to beggary and want: Section I. *Be it therefore enacted*, That if any person or persons within this Territory, shall on his, her, or their account, or on the account of any other person or persons, publicly set up, permit, or suffer, or cause or procure to be publicly set up, permitted or suffered any species of gaming, play or pastime whatever, whereby money or other property shall be betted, won or lost, or by reason whereof the person so publicly permitting the same, shall or may derive any benefit or advantage, in money, goods, or other property, as a consideration for permission to play or bet thereat, each and every person so offending shall forfeit and pay for every such offence of which he or she shall be convicted, the sum of two hundred dollars, to be recovered with costs, by information, indictment or action of debt, in any court of record where the same shall be cognizable.”]

On the 23d of July, 1790, Mr. Sargent received from the principal inhabitants of Vincennes, the following communication:

“VINCENNES, July 23, 1790.

To the honorable Winthrop Sargent, Esquire, Secretary of the Territory of the United States northwest of the river Ohio, and now vested with all the powers of Governor and Commander in chief thereof:—

The citizens of the town of Vincennes approach you, sir, to express as well their personal respect for your honor, as their full approbation of the measures you have been pleased to pursue in regard to their government and the adjustment of their claims, as inhabitants of the Territory over which you at present preside. While we deem it a singular blessing to behold the principles of free government unfolding among us, we cherish the pleasing reflection that our posterity will also have cause to rejoice at the political change now originating. A

free and efficient government, wisely administered, and fostered under the protecting wings of an august union of states, cannot fail to render the citizens of this wide extended territory securely happy in the possession of every public blessing.

We cannot take leave, sir, without offering to your notice a tribute of gratitude and esteem which every citizen of Vincennes conceives he owes to the merits of an officer [Major Hamtramck] who has long commanded at this post. The unsettled situation of things for a series of years previous to this gentleman's arrival, tended in many instances to derange, and in others to suspend, the operations of those municipal customs by which the citizens of this town were used to be governed. They were in the habit of submitting the superintendence of their civil regulations to the officer who happened to command the troops posted among them. Hence, in the course of the late war, and from the frequent change of masters, they labored under heavy and various grievances. But the judicious and humane attention paid by Major Hamtramck, during his whole command, to the rights and feelings of every individual craving his interposition, demands, and will always receive, our warmest acknowledgments.

We beg you, sir, to assure the supreme authority of the United States of our fidelity and attachment; and that our greatest ambition is to deserve its fostering care, by acting the part of good citizens.

By order, and on behalf of the citizens of Vincennes.

ANTOINE GAMELIN, Magistrate,

PIERRE GAMELIN, do.

PEAD GAMELIN, do.

JAMES JOHNSON, do.

LOUIS EDELINE, do.

LUKE DECKER, do.

FRANCIS BOSSERON, do.

FRANCIS VIGO, Major Comd't. of Militia,

HENRY VANDERBURGH, Major of Militia."

The civil and military officers who signed the foregoing communication received the following answer from Mr. Sargent.

“ VINCENNES, July 25th, 1790.

Gentlemen:—Next to that happiness which I derive from a consciousness of endeavoring to merit the approbation of the sovereign authority of the United States by a faithful discharge of the important trusts committed to me, is the grateful plaudit of the respectable citizens of this Territory: And be assured, gentlemen, that I receive it from the town of Vincennes, upon this occasion, with singular satisfaction.

In an event so interesting and important to every individual as is the organization of civil government, I regret exceedingly that you have been deprived of the wisdom of our worthy Governor. His extensive abilities and long experience in the honorable walks of public life, might have more perfectly established that system which promises to you and posterity such political blessings. It is certain, gentlemen, that the government of the United States is most congenial to the dignity of human nature, and the best possible palladium for the lives and property of mankind. The services of Major Hamtramck to the public, and his humane attention to the citizens while in command here, have been highly meritorious; and it is with great pleasure that I have officially expressed to him my full approbation thereof.

Your dutiful sentiments of fidelity and attachment to the General Government of the United States, shall be faithfully transmitted to their august President.

With the warmest wishes for the prosperity and welfare of Vincennes, I have the honor to be, gentlemen,

Your most obedient, humble servant,

WINTHROP SARGENT.”

During the spring and summer of the year 1790, numerous small parties of Indians continued to wage an irregular war against emigrating families and settlers, along the borders of the river Ohio, from its mouth to the neighborhood of Pittsburgh. Many emigrants, while they were descending the river in boats, were attacked and killed, or taken and carried into captivity. In a letter, dated “Lexington, [Ky.] 7th April,

1790," Brigadier General James Wilkinson wrote to General Harmar, as follows:—"I write to you at the public request, on a subject deeply interesting to Kentucky, our national honor, and to humanity. For more than one month past a party of savages has occupied the northwestern bank of the Ohio, a few miles above the mouth of Scioto, from whence they make attacks upon every boat which passes, to the destruction of much property, the loss of many lives, and the great annoyance of all intercourse from the northward. By very recent accounts, we are apprised that they still continue in force at that point, and that their last attack was made against five boats, one of which they captured. It is the general, and I conceive a well founded opinion, that if this party is not dislodged and dispersed, the navigation of the Ohio must cease. In a case so very critical, the people of this district conceive themselves justified in appealing to arms, because their dearest interests, and the lives of their brethren are at hazard; but being extremely unwilling to proceed, except in a legal, regular, and authorized way, they call upon you for your advice, succor, and assistance; in the hope and the expectation, that you will be able to co-operate with a detachment of the troops under your command, and carry an immediate expedition against the before mentioned party of savages, from Limestone,\* where it is proposed to rendezvous a body of militia volunteers."

On the 18th of April, 1790, General Harmar, (at the head of one hundred regular troops and about two hundred and thirty volunteers from Kentucky, under the command of General Charles Scott,) marched from Limestone, for the purpose of making a circuitous route by striking the Scioto at a point several miles up that river, and marching thence to its mouth, in order, if possible, to intercept some of the hostile Indians. On this expedition four Indians were discovered, and killed, and scalped, by a small detachment of the militia under General Scott. In a letter, dated "June 9th, 1790," and addressed to the Secretary of War, General Harmar said, "At the

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\*Maysville, Kentucky.

solicitation of the inhabitants of Kentucky, I was induced to endeavor to break up a nest of vagabond Indians, who had infested the river, and seemed to make it an object to establish themselves near the mouth of the Scioto, in order to interrupt the navigation of the Ohio, and to plunder and murder the emigrants. I am sorry that my endeavors were unsuccessful, as the villains had retreated. Wolves might as well have been pursued. Every exertion in my power was made without effect. \* \* \* On the first day's march four moccasin tracks were discovered. General Scott detached a small party of horsemen, who fell in with the savages, killed them, and brought the four scalps into Limestone."

When Governor St. Clair arrived at Fort Washington, from Kaskaskia, he determined, after consulting with General Har-mar, to send a strong expedition against the Indian towns about the head waters of the river Wabash. Being vested with authority by the President of the United States to call for one thousand militia from Virginia, and five hundred from Pennsylvania, he addressed circular letters on the 15th of July, 1790, to several of the county lieutenants of the western counties of those states. Virginia, of which Kentucky then formed a part, was called upon to furnish the following numbers of men:

The county of Nelson, . .	125	} To rendezvous at Fort Steuben, on the 12th of September.
“ “ Lincoln, .	125	
“ “ Jefferson, .	50	

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300

“ “ Madison, .	125	} To rendezvous at Fort Wash- ington on the 15th September.
“ “ Mercer, .	125	
“ “ Fayette, .	200	
“ “ Bourbon, .	125	
“ “ Woodford, .	85	
“ “ Mason, .	40	

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700

Pennsylvania was requested to furnish for the expedition the following numbers of men:

The county of Washington,	220	} To assemble at McMahan's
“ “ Fayette,	110	
“ “ Westmoreland,	110	
“ “ Allegheny,	60	

creek, four miles below  
Wheeling, on the 3d of  
September.

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500

The United States' regular troops in the west were estimated, by General Harmar, at four hundred effective men. The militia were designed to act in concert with these troops; and the manner of employing the whole force was arranged thus: Three hundred of the militia of Virginia were ordered to rendezvous at Fort Steuben, and, with the garrison of that fort, to march to Vincennes and join Major Hamtramck, who had orders to call for aid from the militia of Vincennes, and to move up the Wabash and attack any of the Indian villages on that river to which his force might be equal. The remaining twelve hundred of the militia were ordered to assemble at Fort Washington, and to join the regular troops at that post under the command of General Harmar.

On the 19th of September, Governor St. Clair, in obedience to the instructions of the President of the United States, sent the following letter to the British commandant at Detroit:

“MARIETTA, 19th September, 1790.

“Sir: As it is not improbable that an account of the military preparations going forward in this quarter of the country may reach you, and give you some uneasiness, while the object to which they are to be directed is not perfectly known to you, I am commanded by the President of the United States to give you the fullest assurances of the pacific disposition entertained towards Great Britain and all her possessions; and to inform you explicitly that the expedition about to be undertaken, is not intended against the post you have the honor to command, nor any other place at present in the possession of the troops of his Britannic Majesty; but is on foot with the sole design of humbling and chastising some of the savage tribes whose depredations are become intolerable, and whose cruelties have of late become an outrage, not on the people of America only;

but on humanity; which I now do in the most unequivocal manner. After this candid explanation, sir, there is every reason to expect, both from your own personal character, and from the regard you have for that of your nation, that those tribes will meet with neither countenance nor assistance from any under your command, and that you will do what in your power lies, to restrain the trading people, from whose instigations there is too good reason to believe, much of the injuries committed by the savages has proceeded. I have forwarded this letter by a private gentleman, in preference to that of an officer, by whom you might have expected a communication of this kind, that every suspicion of the purity of the views of the United States might be obviated."

The Virginia militia (from the counties of Madison, Mercer, Fayette, Bourbon, Woodford, and Mason, in the district of Kentucky,) began to assemble at the mouth of Licking river, about the middle of September. They were not well equipped for the expedition. Their arms were generally very bad, and unfit for service; and they were almost destitute of camp-kettles and axes. Soon after the arrival of the militia, however, General Harmar, in the midst of many difficulties, began to organize them. Colonel Trotter aspired to the command, although Colonel Hardin was the elder officer; and some of the militia openly declared that unless they were placed under the command of Colonel Trotter they would return to their homes. In the course of two or three days they were formed into three battalions, under Majors Hall, McMullen, and Ray, with Lieutenant Colonel Trotter at their head. The Pennsylvania militia arrived at Fort Washington, about the 24th of September. They were very badly equipped; and among them were many substitutes—old, infirm men, and young boys. They were formed into one battalion, under Lieutenant Colonel Truby and Major Paul; and the four battalions of militia were placed under the command of Colonel John Hardin, subject to the command of General Harmar. The regular troops were formed into two small battalions, under Major John Plasgrave Wyllys, and Major John Doughty. The company of Artillery, which

had three pieces of ordnance, was commanded by Captain William Ferguson. A small battalion of light troops, or mounted militia, was placed under the command of Major Fontaine. The whole of General Harmar's command may be stated thus:

Three battalions Virginia Militia,	}	1,133
One battalion Pennsylvania Militia,		
One battalion Light troops, mounted,		
Two battalions Regular troops, - - - - -		320
Total, - - -		<hr/> 1,453

On the 26th of September, the militia, under the command of Colonel Hardin, moved from Fort Washington and advanced into the country, in order to find feed for the cattle, and to open a road for the Artillery. The regular troops, under General Harmar, marched on the 30th of September, and joined the militia on the 3d of October, when the order of march was arranged in the manner that follows.

# HISTORICAL NOTES.

## ORDER OF MARCH.

*Spies and Guides.*



*Advance Company.*



*Pioncers.*

Cavalry.  Cavalry.

*McMullen's Battalion of Militia.*



## FEDERAL TROOPS.

Cavalry.  Artillery.  Cavalry.

*Ammunition.*

*Officers' baggage, &c.*

*Flour and Salt.*

*Cattle.*

X	X	X	X	X	X
X	X	X	X	X	X
X	X	X	X	X	X

*Hall's battalion of Militia.*



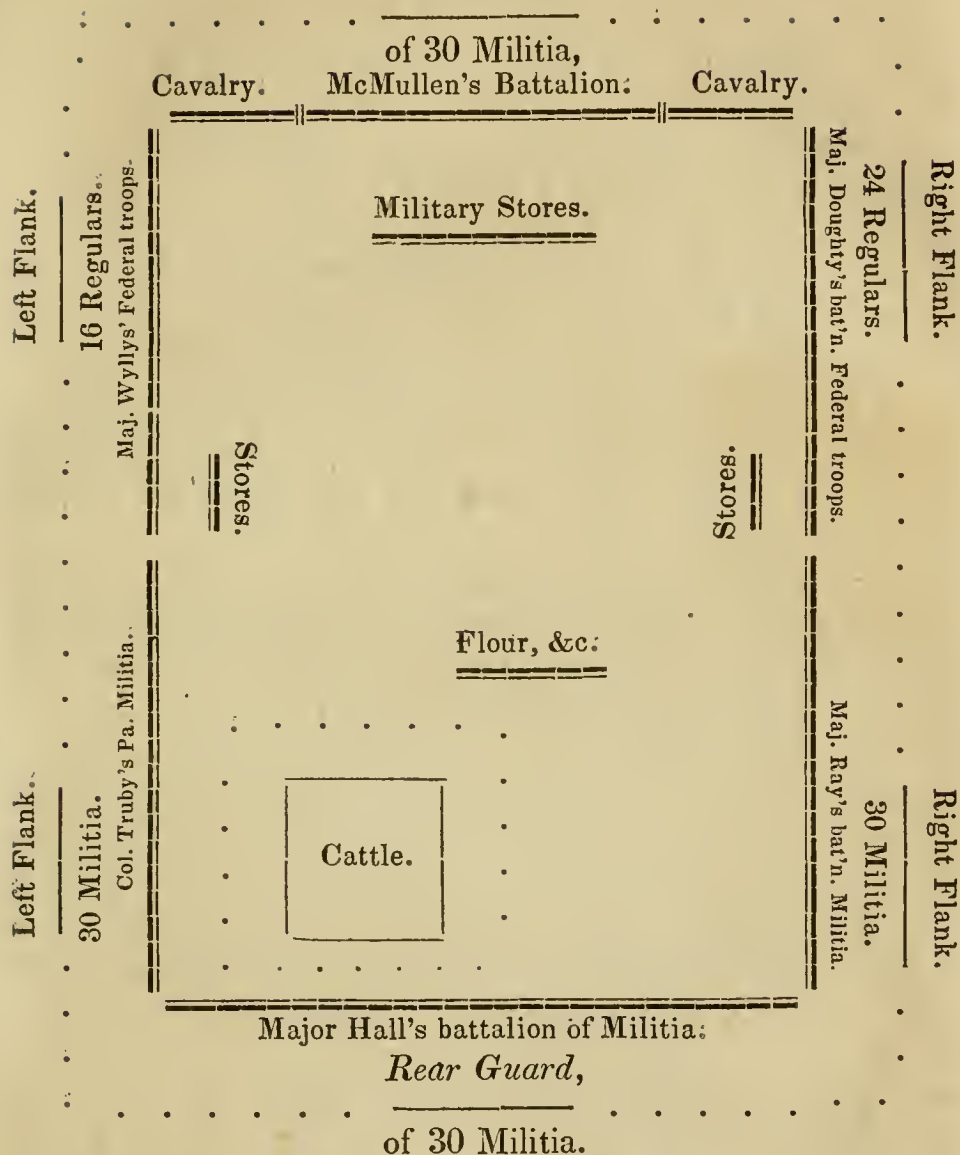
*Rear Guard.*



FLANK.  
Colonel Truby and Major Paul—  
Pennsylvania Militia.

FLANK.  
Major Ray's battalion Militia.

## ORDER OF ENCAMPMENT.

*Front Guard,*

The daily movements of the army are recorded in a manuscript journal, which was kept by Captain John Armstrong, of the Regulars, as follows:

"September 30, 1790.—The army moved from Fort Washington, at half past ten o'clock, A. M.—marched about seven miles N. E. course—hilly, rich land. Encamped on a branch of Mill Creek.

October 1st.—Took up the line of march at half past eight

o'clock:—passed through a level, rich country, watered by many small branches, waters of Mill Creek. At two o'clock halted one hour; and at four o'clock halted for the evening, on a small branch of Mill Creek—having marched about eight miles: general course a little to the westward of north.

October 2d.—Moved forty-five minutes after seven o'clock: marched about ten miles a northwest course. The first five miles of this day's march was over a dry ridge to a Lick; then five miles through a low swampy country to a branch of the waters of the Little Miami, where we halted one hour; and forty-five minutes after one o'clock moved on for five miles, a N. E. E. and S. E. course, and encamped in a rich and extensive bottom, on a muddy creek, a branch of the Little Miami. This day's march fifteen miles, and one mile from Colonel Hardin's command.

October 3d.—The Army moved at eight o'clock:—passed Colonel Hardin's camp, and halted at Turtle Creek, about ten yards wide, where we were joined by Colonel Hardin's command. Here the line of march was formed.—Two miles.

October 4th.—The Army moved at half past nine o'clock:—passed through a rich country (some places broken) a N. E. course, and at three o'clock crossed the Little Miami, about forty yards wide: moved up it one mile, a north course, to a branch called Sugar Creek. Encamped.—Nine miles.

5th.—The Army moved from Sugar Creek forty-five minutes after nine o'clock: marched through a level country, a N. E. course, up the Little Miami, having it often in view. The latter part of this day's march, through low glades, or marshy land. Halted at five o'clock on Glade Creek, a very lively, clear stream.—Ten miles.

6th.—The Army moved ten minutes after nine o'clock. The first five miles the country was brushy and somewhat broken: reached Chillicothe, an old Indian village: recrossed the Little Miami; at half past one o'clock halted one hour; and encamped, at four o'clock, on a branch.—Nine miles, a N. E. course.

7th.—The Army moved at ten o'clock: the country brushy four miles, and a little broken until we came on the waters of

the Great Miami:—passed through several low prairies, and crossed the Pickaway fork or Mad River, which is a clear, lively stream, about forty yards wide: the bottom extensive, and very rich. Encamped on a small branch, one mile from the former. Our course the first four miles north, then north-west.—Nine miles.

8th.—The Army moved at half past nine o'clock: passed over rich land, in some places a little broken: passed several ponds, and through one small prairie, a N. W. course.—Seven miles.

9th.—The Army moved at half past nine o'clock: passed through a level, rich country, well watered: course N. W.—halted half past four o'clock, two miles south of the Great Miami.—Ten miles.

10th.—The Army moved forty-five minutes after nine o'clock: crossed the Great Miami: at the crossing there is a handsome high prairie on the S. E. side. The river about forty yards wide: two miles further, a N. W. course, passed through a large prairie. Halted on a large branch of the Great Miami at half past three o'clock. The country level and rich: the general course N. W.—Ten miles.

11th.—The Army moved at half past nine o'clock: marched a N. W. course seven miles to a branch where French traders formerly had a number of Trading houses—thence a N. course four miles, to a small branch, and encamped at five o'clock. The country we passed over is very rich and level.—Eleven miles.

12th.—The Army moved at half past nine o'clock: our course a little to the W. of N. W.—crossed a stream at seven miles and a half, running to the N. E. on which there are several old camps, much deadened timber, which continues to the river Auglaize, about a mile. Here has been a considerable village—some houses still standing. This stream is a branch of the Omi [Maumee] river, and is about twenty yards wide. From this village to our encampment our course was a little to the N. of W. Rich level land.—Fourteen miles.

13th.—The Army moved at ten o'clock: just before they

marched, a prisoner was brought in, and Mr. Morgan, from Fort Washington, joined us. We marched to the W. of N. W. four miles to a small stream, through low, swampy land—then a course a little to the N. of W. passing through several small prairies and open woods to an Indian village on a pretty stream. Here we were joined by a detachment from Fort Washington, with ammunition.—Ten miles.

14th.—At half past ten in the morning, Colonel Hardin was detached for the Miami village, with one company of Regulars and six hundred Militia—and the Army took up its line of march at eleven o'clock; a N. W. course; four miles a small branch—the country level—many places drowned lands in the winter season.—Ten miles.

15th.—The Army moved at eight o'clock, N. W. course, two miles, a small branch; then north a little west, crossing a stream, three miles, N. W. course—the Army halted at half past one o'clock, on a branch running west.—Eight miles.

16th.—The Army moved at forty-five minutes after eight o'clock: marched nine miles and halted, fifteen minutes after one o'clock. Passed over a level country, not very rich. Colonel Hardin, with his command, took possession of the Miami town yesterday [15th] at four o'clock—the Indians having left it just before.—Nine miles.

17th.—The Army moved at fifteen minutes after eight o'clock; and at one o'clock crossed the Maumee river to the village. The river is about seventy yards wide; a fine, transparent stream. The river St. Joseph, which forms the point on which the village stood, is about twenty yards wide, and, when the waters are high, navigable a great way up it.

On the 18th I was detached, with thirty men, under the command of Colonel Trotter: on the 19th Colonel Hardin commanded in lieu of Colonel Trotter: attacked about one hundred Indians, fifteen miles west of the Miami village; and from the dastardly conduct of the militia, the troops were obliged to retreat. I lost one sargeant, and twenty-one out of thirty men of my command. The Indians on this occasion gained a complete victory—having killed, in the whole, near one hun-

dred men, which was about their number. Many of the militia threw away their arms without firing a shot, ran through the federal troops and threw them in disorder. Many of the Indians must have been killed, as I saw my men bayonet many of them. They fought and died hard."

When the advanced detachment under the command of Colonel Hardin reached the Miami village, in the afternoon of the 15th of October, the Indians had deserted the place, leaving behind them some cows, and large quantities of corn and vegetables; and the militia, in parties of thirty or forty, regardless of discipline, strolled about in search of plunder. In the afternoon of the 17th, the main body of the army arrived at the Miami village, and soon afterwards Major McMullen and others reported to General Harmar that the tracks of women and children had been discovered on an Indian path leading from the village, a northwest course, towards the Kickapoo towns. The General, supposing that the Indians, with their families and baggage, had encamped at some point not far from the Miami village, determined to make an effort to discover the place of their encampment, and to bring them to a battle. Accordingly on the morning of the 18th, he detached Colonel Trotter, Major Hall, Major Ray, and Major McMullen, with a force amounting to three hundred men, and composed of thirty regular troops, forty of Major Fontaine's light horse, and two hundred and thirty active riflemen. The detachment was furnished with three days' provision, and ordered to examine the country around the Miami village. After these troops under the command of Colonel Trotter had moved about one mile from the encampment, the light horsemen discovered, pursued, and killed an Indian on horseback. Before this party returned to the columns, a second Indian was discovered, when the four field officers left their commands and pursued the Indian; leaving the troops for the space of about half an hour without any directions whatever. The flight of the second Indian was intercepted by the light horsemen, who despatched him after he had wounded one of their party. Colonel Trotter then changed the route of his detachment, and marched in various directions

until night, when he returned to the camp at the Miami village. On the 18th the following general orders were published:

"CAMP AT THE MIAMI VILLAGE,        }  
October 18, 1790.                        }

"The General is much mortified at the unsoldier-like behaviour of many of the men in the army, who make it a practice to straggle from the camp in search of plunder.\* He, in the most positive terms, forbids this practice in future, and the guards will be answerable to prevent it. No party is to go beyond the line of sentinels without a commissioned officer, who, if of the militia, will apply to Colonel Hardin for his orders. The regular troops will apply to the General. All the plunder that may be hereafter collected, will be equally distributed amongst the army. The kettles, and every other article already taken, are to be collected by the commanding officers of battalions, and to be delivered to-morrow morning to Mr. Belli, the Quartermaster, that a fair distribution may take place. The rolls are to be called at troop and retreat beating, and every man absent is to be reported. The General expects that these orders will be pointedly attended to: they are to be read to the troops this evening. The army is to march to-morrow morning early for their new encampment at Chilli-cothe,† about two miles from hence.

JOSIAH HARMAR, Brig. General."

The return of Colonel Trotter to camp, on the evening of the 18th, was unexpected by General Harmar, and did not receive his approbation. Colonel Hardin asked for the command of the same detachment for the remaining two days, and his request was granted. On the morning of the 19th, the detachment, under the command of Colonel Hardin, marched a northwest course on the Indian path which led towards the Kickapoo towns; and after passing a morass about five miles distant from the Miami village, the troops came to a place

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\*On the arrival of General Harmar at the Miami village, about two thirds of the militia dispersed in search of plunder. The General ordered cannon to be fired, merely to collect them; and at the same time harangued the officers on the ill consequences of such conduct.

†This was a Shawanee village.

where, on the preceding day, a party of Indians had encamped. At this spot the detachment made a short halt, and the commanding officer stationed the companies at points several rods apart. After the lapse of about half an hour the companies in front were ordered to move on; and Captain Faulkner's company was left on the ground, the Colonel having neglected to give him orders to march. The troops moved forward about three miles, when they discovered two Indians on foot, who threw off their packs, and, the brush being thick, made their escape. About this time Colonel Hardin despatched Major Fontaine, with part of the cavalry, in search of Captain Faulkner, supposing him to be lost; and soon afterwards Captain Armstrong, who commanded the regulars, informed Colonel Hardin that a gun had been fired in front, which might be considered as an alarm gun, and that he had seen the "tracks of a horse that had come down the road and returned." The Colonel, however, moved on without giving any orders or making any arrangements for an attack; and when Captain Armstrong discovered the fires of the Indians at a distance, and informed Colonel Hardin of the circumstance, that officer, saying that the Indians would not fight, rode in front of the advanced columns until the detachment was fired on from behind the fires. The militia, with the exception of nine who remained with the regulars and were killed, immediately gave way and commenced an irregular retreat, which they continued until they reached the main army. Hardin, who retreated with them, made several ineffectual attempts to rally them. The small band of regulars, obstinately brave, maintained their ground until twenty-two were killed, when Captain Armstrong, Ensign Hartshorne, and five or six privates, escaped from the carnage, eluded the pursuit of the Indians, and arrived at the camp of General Harmar. The number of Indians who were engaged on this occasion, cannot be ascertained.\* They were led by a

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\*Captain Armstrong, under oath, estimated the number at one hundred men. Colonel Hardin, in a deposition which he made in 1791, estimated the number at about one hundred and fifty men. Some writers, on questionable authority, have estimated the number of Indians at seven hundred.

distinguished Miami chief, whose name was Mish-e-ken-o-quoh, which signifies the Little Turtle. The ground on which the action took place, lies about eleven miles from Fort Wayne, and near the point at which the Goshen state road crosses Eel river.

On the morning of the 19th, the main body of the army under Harmar, having destroyed the Miami village, moved about two miles to a Shawanee village which was called Chillicothe; where, on the 20th, the General published the following orders:

“CAMP AT CHILICOTHE, one of the Shawanese towns, }  
on the Omee [Maumee] river, October 20th, 1790. }

“The party under command of Captain Strong is ordered to burn and destroy every house and wigwam in this village, together with all the corn, &c. which he can collect. A party of one hundred men (militia) properly officered, under the command of Colonel Hardin, is to burn and destroy effectually, this afternoon, the Pickaway town,\* with all the corn, &c. which he can find in it and its vicinity.

“The cause of the detachment being worsted yesterday was entirely owing to the shameful cowardly conduct of the militia who ran away, and threw down their arms, without firing scarcely a single gun. In returning to Fort Washington, if any officer or men shall presume to quit the ranks, or not to march in the form that they are ordered, the General will, most assuredly, order the artillery to fire on them. He hopes the check they received yesterday will make them in future obedient to orders.

JOSIAH HARMAR, Brig. General.”

At ten o'clock, A. M. on the 21st, the army moved from the ruins of the Chillicothe village, marched about seven miles on the route to Fort Washington, and encamped. The night being very clear, Colonel Hardin informed General Harmar that he thought it would be a good opportunity to steal a march on the Indians, as he had reason to believe that they had returned to the towns as soon as the army had left them. Harmar did not seem to be willing to send a party back; but Hardin “urged

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\*A Shawanese village.

the matter, informing the General that, as he had been unfortunate the other day, he wished to have it in his power to pick the militia and try it again; and at the same time endeavored to account for the men's not fighting; and desired an opportunity to retrieve the credit of the militia." \* In order to satisfy the request of Hardin, and to give the Indians a check, and thus prevent their harassing the army on its return to Fort Washington, General Harmar determined to send back a detachment of four hundred men. Accordingly, late on the night of the 21st a corps of three hundred and forty militia, and sixty regular troops under the command of Major Wyllys, were detached, that they might gain the vicinity of the Miami village, before day-break, and surprise any Indians who might be found there. The detachment marched in three columns. The regular troops were in the centre, at the head of which Captain Joseph Ashton was posted, with Major Wyllys and Colonel Hardin in his front. The militia formed the columns to the right and left. Owing to some delay, occasioned by the halting of the militia, the detachment did not reach the banks of the Maumee till some time after sun-rise. The spies then discovered some Indians and reported to Major Wyllys, who halted the regular troops, and moved the militia on some distance in front, where he gave his orders and plan of attack to the several commanding officers of corps. Major Wyllys reserved to himself the command of the regular troops. Major Hall, with his battalion, was directed to take a circuitous route round the bend of the Maumee river, cross the St. Mary's, and there, in the rear of the Indians, wait until the attack should be brought on by Major McMullen's battalion, Major Fontaine's cavalry, and the regular troops under Major Wyllys, who were all ordered to cross the Maumee at and near the common fording place. It was the intention of Hardin and Wyllys to surround the Indian encampment; but Major Hall, who had gained his position undiscovered, disobeyed his orders by firing on a single Indian, before the commencement of the action. Several small parties of Indians were soon seen flying in differ-

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\*Deposition of Col. Hardin, taken 14th September, 1791.

ent directions, and the militia under McMullen and the cavalry under Fontaine, pursued them in disobedience of orders, and left Major Wyllys unsupported. The consequence was that the regulars, after crossing the Maumee, were attacked by a superior force of Indians, and compelled to retreat, with the loss of Major Wyllys, and the greater part of their corps. Major Fontaine, at the head of the mounted militia, fell, with a number of his followers, in making a charge against a small party of Indians; and on his fall the remainder of his troops dispersed. While the main body of the Indians, led by the Little Turtle, were engaged with the regulars near the banks of the Maumee, some skirmishing took place near the confluence of the rivers St. Mary's and St. Joseph, between detached parties of Indians and the militia under Hall and McMullen. After the defeat of the regulars, however, the militia retreated on the route to the main army; and the Indians, having suffered a severe loss, did not pursue them. About eleven o'clock, A. M. a single horseman reached the camp of Harmar with news of the defeat of the detachment. The General immediately ordered Major Ray to march with his battalion to the assistance of the retreating parties; but so great was the panic which prevailed among the militia that only thirty men could be induced to leave the main army. With this small number Major Ray proceeded a short distance towards the scene of action, when he met Colonel Hardin on his retreat. On reaching the encampment of Harmar, Colonel Hardin requested the General to march back to the Miami village with the whole army; but Harmar said to him, "you see the situation of the army: we are now scarcely able to move our baggage: it will take up three days to go, and return to this place: we have no more forage for our horses: the Indians have got a very good scourging; and I will keep the army in perfect readiness to receive them, should they think proper to follow."\* The General, at this time, had lost all confidence in the militia. The bounds of the camp were made less, and, at eight o'clock, on the morning of the 23d, the army took up the line of march for Fort

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\*Deposition of Colonel Hardin, September 14, 1791.

Washington, and reached that place on the 4th of November, having lost in the expedition one hundred and eighty-three killed, and thirty-one wounded. Among the killed were Major Wyllys and Lieutenant Ebenezer Frothingham, of the regular troops; and Major Fontaine, Captains Thorp, McMurtrey and Scott, Lieutenants Clark and Rogers, and Ensigns Bridges, Sweet, Higgins, and Thielkeld, of the militia. The Indians, whose loss was about equal to that of the whites, did not annoy the army after the action of the 22d of October.

During the progress of Harmar's operations against the Indians about the Miami town, Major Hamtramck, with the troops under his command, marched up the Wabash to the mouth of the river Vermillion, destroyed some deserted villages, and returned to Vincennes, without meeting with any opposition on his march.

## CHAPTER XIV.

A severe punishment was inflicted on the Miami and Shawanee tribes, by the troops under the command of General Harmar, in the fall of the year 1790; but the events which immediately followed the campaign did not accord with the expectations of the government of the United States. The expedition did not compel the hostile tribes to sue for peace; nor were the settlements on the borders of the river Ohio relieved from the evils of a revengeful, merciless, and destructive war. On the 8th of January, 1791, General Rufus Putnam, who was one of the "Ohio Company of Associates," and the founder of the settlement at Marietta, wrote to President Washington as follows:

"MARIETTA, January 8, 1791.

"Sir: The mischief which I feared has overtaken us much sooner than I expected. On the evening of the 2d instant, between sunset and daylight-in, the Indians surprised a new settlement of our people at a place on the Muskingum, called the Big Bottom, nearly forty miles up the river, in which disaster eleven men, one woman, and two children were killed: three men are missing, and four others made their escape. Thus, sir, the war which was partial before the campaign of last year, is, in all probability become general: for I think that there is no reason to suppose that we are the only people on whom the savages will wreak their vengeance, or that the number of hostile Indians have not increased since the late expedition. Our situation is truly critical. The Governor and Secretary both being absent, no assistance from Virginia or Pennsylvania can be had. The garrison at Fort Harmar,

consisting at this time of little more than twenty men, can afford no protection to our settlements; and the whole number of men, in all our settlements, capable of bearing arms, including all civil and military officers, do not exceed two hundred and eighty-seven, and these, many of them, badly armed. We are in the utmost danger of being swallowed up, should the enemy push the war with vigor during the winter. This I believe will fully appear by taking a short view of our several settlements, and I hope, justify the extraordinary measures\* we have adopted, for want of a legal authority in the Territory to apply for aid in the business. The situation of our people is nearly as follows:

“At Marietta are about eighty houses in the distance of one mile, with scattering houses about three miles up the river. A set of mills at Duck creek, four miles distant; and another mill two miles up the Muskingum. Twenty-two miles up this river is a settlement, consisting of about twenty families: about two miles from them, on Wolf creek, are five families and a set of mills. Down the Ohio, and opposite the Little Kanawha, commences the settlement called Belle Prairie, which extends down the river, with little interruption, about twelve miles, and contains between thirty and forty houses. Before the late disaster we had several other settlements, which are already broken up. I have taken the liberty to enclose the proceedings of the Ohio Company and Justices of the Sessions on this occasion, and beg leave, with the greatest deference, to observe, that, unless government speedily send a body of troops for our protection, we are a ruined people. The removal of the women and children, &c. will reduce many of the poorer sort to the greatest straits; but, if we add to this the destruction of their corn, forage, and cattle, by the enemy, which is very probable to ensue, I know of no way they can be supported: but, if this should not happen, where these people are to raise bread another year, is not easy to conjecture;

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\*Immediately after the disaster at Big Bottom, the Directors of the “Ohio Company of Associates” voted to raise and pay troops, to be employed in the defence of their settlements.

and most of them have nothing left to buy with. But my fears do not stop here. We are a people so far detached from all others, in point of situation, that we can hope for no timely relief, in case of emergency, from any of our neighbors; and among the numbers that compose our present military strength almost one half are young men, hired into the country, intending to settle by and by. These, under present circumstances, will probably leave us soon, unless prospects should brighten; and, as to new settlers, we can expect none in our present situation: so that, instead of increasing in strength, we are like to diminish daily; and, if we do not fall a prey to the savages, we shall be so reduced and discouraged as to give up the settlement, unless government shall give us timely protection. It has been a mystery with some why the troops have been withdrawn from this quarter, and collected at the Miami; [Symmes' Purchase;] that settlement is, I believe, within three or four days' march of a very populous part of Kentucky, from whence, in a few days, they might be reinforced with several thousand men; whereas, we are not within two hundred miles of any settlement that can probably more than protect themselves. But, I forbear suggestions of this sort, and will only observe further, that our present situation is truly distressing; and I do, therefore, most earnestly implore the protection of government, for myself and friends inhabiting these wilds of America. To this we conceive ourselves justly entitled; and so far as you, sir, have the means in your power, we rest assured that we shall receive it in due time.

I have the honor to be, with the highest possible respect, sir,  
your most obedient and most humble servant,

RUFUS PUTNAM."

Immediately after the close of the expedition of Harmar, the fears of Indian depredations which prevailed among the settlements about Marietta, became general among the inhabitants of the western counties of Virginia. The delegates of the counties of Ohio, Monongahela, Harrison, Randolph, Greenbriar, Kanawha, and Montgomery, sent to the Governor of Virginia a joint memorial, in which they made the following

statement: "The defenceless condition of those counties, forming a line of nearly four hundred miles along the Ohio river, exposed to the hostile invasion of their Indian enemies, destitute of every kind of support, is truly alarming: for notwithstanding all the regulations of the General Government in that country, we have reason to lament that they have been hitherto ineffectual for our protection: nor, indeed, could it happen otherwise: for the garrisons kept by the continental troops on the Ohio river, if they are of any use, it must be to the Kentucky settlements; as they immediately cover that country. To us they can be of no service, being from two to four hundred miles below our frontier settlements. \* \* \* We further beg leave to observe that we have reason to fear that the consequences of the defeat of our army by the Indians, on the late expedition, will be severely felt on our frontiers: as there is no doubt but that the Indians will, in their turn, (being flushed with victory,) invade our settlements, and exercise all their horrid murder upon the inhabitants thereof, whenever the weather will permit them to travel. Then is it not better to support us where we are, be the expense what it may, than to oblige such a number of your brave citizens, who have so long supported, and still continue to support, a dangerous frontier, (although thousands of their relatives in the flesh have, in the prosecution thereof, fallen a sacrifice to savage inventions) to quit the country, after all they have done and suffered, when you know that a frontier must be supported somewhere."

The memorial was signed by Benjamin Biggs and John Henderson, of Ohio county; John Evans, jr. and William McCleery, of Monongahela county; George Jackson and John Prunty, of Harrison county; Cornelius Bogard and Abraham Claypool, of Randolph county; Andrew Donnally and George Clendinen, of Kanawha county; Thomas Edgar and W. H. Cavendish, of Greenbriar county; and H. Montgomery and R. Sawyers, of Montgomery county.

In consequence of the representations contained in this memorial, the Legislature of Virginia, by a resolution of the 20th of December, 1790, authorized the Governor of that state to

direct such temporary defensive operations in the frontier counties, "as would secure the citizens thereof from the hostile invasions of the Indian enemy, until the General Government could enter into full and effectual measures to accomplish the said object." The Governor, Beverly Randolph, immediately despatched orders to the military commanding officers in the western counties, requiring them to raise, by the 1st of March, 1791, several small companies of Rangers, for the protection of the inhabitants of the frontier counties. Charles Scott, Esq. was appointed Brigadier General of the militia of the district of Kentucky, with authority to procure, by voluntary engagements, two hundred and twenty-six men, to range the most exposed parts of the frontiers of that district.

An account of these proceedings of the legislative and executive authorities of Virginia, was transmitted to the President of the United States, by Governor Randolph, on the 4th of January, 1791; and soon afterwards the General Government constituted a local Board of War for the district of Kentucky. This Board was composed of Brigadier General Charles Scott, Harry Innis, John Brown, Benjamin Logan, and Isaac Shelby.

On the 3d of March, 1791, Congress passed "An act for raising and adding another regiment to the military establishment of the United States, and for making further provision for the protection of the frontiers." Governor St. Clair, by the advice and consent of the Senate, was invested with the chief command of about three thousand troops, to be raised and employed against the hostile Indians northwest of the Ohio; and on the 21st of March, 1791, the Secretary of War sent to St. Clair a letter of instructions, from which the following is an extract:

"While you are making use of such desultory operations as in your judgment the occasion may require, you will proceed vigorously, in every preparation in your power, for the purpose of the main expedition; and having assembled your force, and all things being in readiness, if no decisive indications of peace should have been produced, either by the messengers, or by the desultory operations, you will commence your march for

the Miami village, in order to establish a strong and permanent military post at that place. In your advance you will establish such posts of communication with Fort Washington, on the Ohio, as you may judge proper. The post at the Miami village is intended for awing and curbing the Indians in that quarter, and as the only preventive of future hostilities. It ought, therefore, to be rendered secure against all attempts and insults of the Indians. The garrison which should be stationed there ought not only to be sufficient for the defence of the place, but always to afford a detachment of five or six hundred men, either to chastise any of the Wabash, or other hostile Indians, or to secure any convoy of provisions. The establishment of said post is considered as an important object of the campaign, and is to take place in all events. In case of a previous treaty, the Indians are to be conciliated upon this point if possible; and it is presumed good arguments may be offered, to induce their acquiescence. \* \* \* Having commenced your march upon the main expedition, and the Indians continuing hostile, you will use every possible exertion to make them feel the effects of your superiority: and after having arrived at the Miami village, and put your works in a defensible state, you will seek the enemy with the whole of your remaining force, and endeavor, by all possible means, to strike them with great severity. \* \* \* In order to avoid future wars, it might be proper to make the Wabash, and thence over to the Maumee, and down the same to its mouth at Lake Erie, the boundary [between the people of the United States and the Indians,] excepting so far as the same should relate to the Wyandots and Delawares, on the supposition of their continuing faithful to the treaties. But if they should join in the war against the United States, and your army be victorious, the said tribes ought to be removed without the boundary mentioned."

On the 9th of March, 1791, General Henry Knox, Secretary of War, sent to Brigadier General Scott, of Kentucky, a letter of instructions, from which the following is an extract:

"Sir: The issue and consequent effect of the expedition against the Miami towns, and the situation of affairs between

the United States and the Wabash, and other hostile Indians, northwest of the Ohio, are well known to you, and the inhabitants of Kentucky, generally. \* \* \* It would afford high satisfaction to the President of the United States, could a firm peace be established, without further effusion of blood; and, although he conceives the sacred principles of humanity, and a regard to the welfare of the country, dictate that he should take every proper arrangement to bring the deluded Indians to a just sense of their situation, yet he is apprehensive that all lenient endeavors will be fruitless. He is, therefore, constrained to calculate his ultimate measures, to impress the Indians with a strong conviction of the power of the United States, to inflict that degree of punishment which justice may require. That, for this purpose, he avails the public of the offers which you and the delegates of Kentucky, and the other frontier counties of Virginia, made, by your memorial of the 4th of December last, to combat the Indians according to your own modes of warfare.

“It is the result of information, from men of reputation in Indian affairs, that a body of five hundred picked men, mounted on good horses, by rapid incursions, would be equal to the assault of any of the Indian towns lying on the Wabash river, and that the probability would be highly in favor of surprising and capturing at least a considerable number of women and children. In this view of the object, and also estimating the consequent impressions such as a successful operation would make upon the Indians, by demonstrating to them that they are within our reach, and lying at our mercy; and also, considering from the before recited memorial and other information, that such an opportunity of acting by themselves in an Indian expedition, would be highly gratifying to the hardy and brave yeomanry of Kentucky, the President of the United States hereby authorizes an expedition of the magnitude, and upon the conditions hereinafter described.”

By the instructions which were subsequently contained in the letter of the Secretary of War, the Board of War for the district of Kentucky were authorized to send an expedition

of mounted men, not exceeding seven hundred and fifty, against the Wea towns on the river Wabash. The pay of each private engaged in the expedition was fixed at 66 $\frac{2}{3}$  cents per day; and the troops were directed to move from some point on the river Ohio, about the 10th of May, 1791. "The mounted volunteers or militia," said the Secretary, in his letter of instructions, "are to proceed to the Wea, or Ouiatenon towns of Indians, there to assault the said towns, and the Indians therein, either by surprise, or otherwise, as the nature of the circumstances may admit—sparing all who may cease to resist, and capturing as many as possible, particularly women and children. And on this point it is the positive orders of the President of the United States, that all such captives be treated with humanity; and that they be carried and delivered to the commanding officer of some post of the United States upon the Ohio." The President, also, authorized the Board of War to send a second expedition, and a third one against the Wabash Indians, provided the Major General, or commanding officer on the Ohio, should order the same under his hand and seal.

On the 23d of May, 1791, Brigadier General Scott, at the head of about eight hundred mounted and armed men, having crossed the Ohio at the mouth of the Kentucky river, commenced his march for Ouiatenon,\* on the Wabash. In his official report of the 28th June, 1791, addressed to the Secretary of War, he made the following statements of the movements of the expedition under his command:

"In the prosecution of the enterprise I marched four miles from the banks of the Ohio, on the 23d of May; and on the 24th I resumed my march, and pushed forward with the utmost industry, directing my route to Ouiatenon, in the best manner my guides and information enabled me; though I found myself greatly deficient in both. By the 31st I had marched one hundred and thirty-five miles, over a country cut by four large branches of White River, and many smaller streams,

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\*This "Ouiatenon," or Wea village, stood on the southern bank of the river Wabash, (on the tract of land which is now called "Wea Prairie,") about eight miles below the site of the town of Lafayette, in Tippecanoe County, Indiana.

with steep muddy banks: during this march I traversed a country alternately interspersed with the most luxuriant soil, and deep clayey bogs, from one to five miles in width, rendered almost impervious by brush and briars. Rain fell in torrents every day with frequent blasts of wind and thunder storms. These obstacles impeded my progress, wore down my horses, and destroyed my provisions.

"On the morning of the 1st instant, [June,] as the army entered an extensive prairie, I perceived an Indian on horseback, a few miles to the right. I immediately made a detachment to intercept him; but he escaped. Finding myself discovered, I determined to advance with all the rapidity my circumstances would permit, rather with the hope than the expectation of reaching the object sought that day; for my guides were strangers to the country which I occupied. At one o'clock, having marched, by computation, one hundred and fifty-five miles from the Ohio, as I penetrated a grove which bordered on an extensive prairie, I discovered two small villages to my left, at two and four miles distance.

"My guides now recognised the ground, and informed me that the main town was four or five miles in my front, behind a point of woods which jutted into the prairie. I immediately detached Colonel John Hardin, with sixty mounted infantry, and a troop of light-horse under Captain McCoy, to attack the villages to the left, and moved on briskly with my main body in order of battle, towards the town, the smoke of which was discernible. My guides were deceived with respect to the situation of the town: for, instead of standing at the edge of the plain through which I marched, I found it on the low ground bordering on the Wabash: on turning the point of woods, one house presented in my front. Captain Price was ordered to assault that with forty men. He executed the command with great gallantry, and killed two warriors.

"When I gained the summit of the eminence which overlooks the villages on the banks of the Wabash, I discovered the enemy in great confusion, endeavoring to make their escape over the river in canoes. I instantly ordered Lieutenant Colo-

nel-commandant Wilkinson to rush forward with the first battalion. The order was executed with promptitude, and this detachment gained the bank of the river just as the rear of the enemy had embarked; and, regardless of a brisk fire kept up from a Kickapoo town on the opposite bank, they, in a few minutes, by a well directed fire from their rifles destroyed all the savages with which five canoes were crowded. To my great mortification the Wabash was many feet beyond fording at this place: I therefore detached Colonel Wilkinson to a ford two miles above, which my guides informed me was more practicable.\*

“The enemy still kept possession of the Kickapoo town: I determined to dislodge them; and for that purpose ordered Captain King’s and Logsdon’s companies to march down the river below the town, and cross, under the conduct of Major Barbee. Several of the men swam the river, and others passed in a small canoe. This movement was unobserved; and my men had taken post on the bank before they were discovered by the enemy, who immediately abandoned the village. About this time word was brought me that Colonel Hardin was encumbered with prisoners, and had discovered a stronger village further to my left than those I had observed, which he was proceeding to attack. I immediately detached Captain Brown with his company, to support the Colonel: but the distance being six miles, before the Captain arrived the business was done, and Colonel Hardin joined me a little before sunset, having killed six warriors, and taken fifty-two prisoners. Captain Bull, the warrior who discovered me in the morning, had gained the main town, and given the alarm, a short time before me; but the villages to my left were uninformed of my approach, and had no retreat.

“The next morning I determined to detach my Lieutenant Colonel-commandant, with five hundred men, to destroy the important town of Keth-tip-e-ca-nunk, eighteen miles from my camp, and on the west side of the Wabash; but, on exam-

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\*Wilkinson moved the first battalion up to the fording place, found the river impassable, and returned to Ouiatenon.

ination, I discovered my men and horses to be so crippled and worn down by a long laborious march, and the active exertions of the preceding day, that three hundred and sixty men only, could be found in a capacity to undertake the enterprise, and they prepared to march on foot. Colonel Wilkinson marched with this detachment at half after five in the evening, and returned to my camp the next day at one o'clock, having marched thirty-six miles in twelve hours, and destroyed the most important settlement of the enemy in that quarter of the federal territory.

"Many of the inhabitants of this village [Ouiatenon] were French, and lived in a state of civilization. By the books, letters, and other documents, found there, it is evident that place was in close connection with, and dependent on, Detroit. A large quantity of corn, a variety of household goods, peltry, and other articles were burned with this village, which consisted of about seventy houses, many of them well finished.

"Misunderstanding the object of a white flag, which appeared on an eminence opposite to me in the afternoon of the first, I liberated an aged squaw, and sent with her a message to the savages, that, if they would come in and surrender, their towns should be spared, and they should receive good treatment. It was afterwards found that this white flag was not intended as a signal of parley, but was placed there to mark the spot where a person of distinction among the Indians, who had died some time before, was interred.

"On the 4th, I determined to discharge sixteen of the weakest and most infirm of my prisoners. with a [written] talk to the Wabash tribes. My motives to this measure were, to rid the army of a heavy incumbrance, to gratify the impulses of humanity, to increase the panic my operations had produced, and, by distracting the councils of the enemy, to favor the views of government; and I flatter myself these objects will justify my conduct, and secure the approbation of my country. On the same day, [4th,] after having burned the towns and adjacent villages, and destroyed the growing corn and pulse, I began my march for the Rapids of Ohio, where I arrived the

14th June, without the loss of a single man by the enemy, and five only wounded; having killed thirty-two, chiefly warriors of size and figure, and taken fifty-eight prisoners.

"It is with pride and pleasure I mention that no act of inhumanity has marked the conduct of the volunteers of Kentucky on this occasion. Even the inveterate habit of scalping the dead ceased to influence. I have delivered forty-one prisoners to Captain Ashton, of the first United States regiment, at Fort Steuben, for which I have his receipt. I sincerely lament that the weather, and the consequences produced by it, rendered it impossible for me to carry terror and desolation to the head of the Wabash. The corps I had the honor to command was equal to the object; but the condition of my horses, and state of my provisions, were insuperable obstacles to my own intentions, and the wishes of all."

When Brigadier General Scott released sixteen weak and infirm prisoners at Ouiatenon, he gave them a written speech, of which the following is a copy:

*"To the various tribes of the Piankeshaws, and all the Nations of Red People, lying on the waters of the Wabash River.*

"The sovereign council of the thirteen United States have long patiently borne your depredations against their settlements on this side of the great mountains, in the hope that you would see your error, and correct it, by entering with them into the bonds of amity and lasting peace. Moved by compassion, and pitying your misguided councils, they have frequently addressed you on this subject, but without effect. At length their patience is exhausted, and they have stretched forth the arm of power against you. Their mighty sons and chief warriors have at length taken up the hatchet: they have penetrated far into your country, to meet your warriors, and punish them for their transgressions. But you fled before them, and declined the battle, leaving your wives and children to their mercy. They have destroyed your old town, Ouiatenon, and the neighboring villages, and have taken many prisoners. Resting here two days, to give you time to collect your strength, they have proceeded to your town of Keth-tip-e-ca-nunk; but

you again fled before them, and that great town has been destroyed. After giving you this evidence of their power they have stopped their hands, because they are merciful as strong; and they again indulge the hope that you will come to a sense of your true interest, and determine to make a lasting peace with them, and all their children, for ever.

“The United States have no desire to destroy the Red People, although they have the power: but, should you decline this invitation, and pursue your unprovoked hostilities, their strength will again be exerted against you. Your warriors will be slaughtered—your towns and villages ransacked and destroyed—your wives and children carried into captivity—and you may be assured that those who escape the fury of our mighty chiefs, shall find no resting place on this side the great lakes. The warriors of the United States wish not to distress or destroy women and children, or old men; and, although policy obliges them to retain some in captivity, yet compassion and humanity have induced them to set others at liberty, who will deliver you this talk. Those who are carried off will be left in the care of our great chief and warrior General St. Clair, near the mouth of the Miami, and opposite the Licking river, where they will be treated with humanity and tenderness. If you wish to recover them, repair to that place by the first day of July next, determined, with true hearts, to bury the hatchet and smoke the pipe of peace. They will then be restored to you; and you may again set down in security at your old towns, and live in peace and happiness, unmolested by the children of the United States, who will become your friends and protectors, and will be ready to furnish you with all the necessaries you may require. But, should you foolishly persist in your warfare, the sons of war will be let loose against you, and the hatchet will never be buried until your country is desolated, and your people humbled to the dust.

“Given under my hand and seal, at the Ouiatenon town, this 4th day of June, 1791.

CHARLES SCOTT, Brigadier General.”

On the 25th of June, 1791, Governor St. Clair, while he was making preparations to march a strong military force to the Miami village, wrote to the Board of War of the district of Kentucky, and authorized them to send a second expedition not exceeding five hundred mounted men, against the Indian villages on the Wabash. At Danville, on the 5th of July, the Board of War invested Brigadier General James Wilkinson with the command of the second expedition, and the troops were ordered to rendezvous at Fort Washington, by the 20th of July, "well mounted on horseback, well armed, and provided with thirty days' provisions." On the first of August, Wilkinson, at the head of about five hundred and twenty-five men, moved from the neighborhood of Fort Washington, and, after making a feint towards the Miami village, directed his march towards the Indian village of Ke-na-pa-com-aqua, which stood on the northern bank of Eel River, about six miles from the point where that stream enters the river Wabash.\* In an official report of the 24th August, 1791, addressed to Governor St. Clair, Brigadier General Wilkinson made the following statements:

"I quitted my camp on the 7th [August,] as soon as I could see my way, crossed one path at three miles distance, bearing northeast, and at seven miles I fell into another, very much used, bearing northwest by north, which I at once adopted as the direct route to my object, and pushed forward with the utmost despatch. I halted at twelve o'clock to refresh the horses, and examine the men's arms and ammunition; marched again at half after one; and at fifteen minutes before five I struck the Wabash, about one and a half leagues above the mouth of Eel River, being the very spot for which I had aimed from the commencement of my march. I crossed the river, and following the path a north by east course, at the distance of two and a half miles, my reconnoitering party announced Eel River in front, and the town on the opposite bank. I dismounted, ran forward, and examined the situation of the town

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\*Eel river enters the Wabash at the site of the town of Logansport, in Cass County, Indiana.

as far as was practicable, without exposing myself; but the whole face of the country, from the Wabash to the margin of Eel River, being a continued thicket of brambles, black jacks, weeds and shrubs of different kinds, it was impossible for me to get a satisfactory view, without endangering a discovery. I immediately determined to post two companies on the bank of the river, opposite to the town, and above the ground I then occupied, to make a detour with Major Caldwell and the second battalion, until I fell into the Miami trace, and by that route to cross the river above, and gain the rear of the town, and to leave directions with Major McDowell, who commanded the first battalion, to lie perdue until I commenced the attack, then to dash through the river with his corps and the advanced guard, and assault the houses in front and upon the left. In the moment I was about to put this arrangement into execution, word was brought me that the enemy had taken the alarm, and were flying. I instantly ordered a general charge, which was obeyed with alacrity. The men, forcing their way over every obstacle, plunged through the river with vast intrepidity. The enemy was unable to make the smallest resistance. Six warriors, and (in the hurry and confusion of the charge) two squaws and a child, were killed; thirty-four prisoners were taken, and an unfortunate captive released, with the loss of two men killed and one wounded.

“I found this town scattered along Eel River for full three miles, on an uneven, scrubby oak barren, intersected alternately by bogs almost impassable, and impervious thickets of plum, hazle, and black jacks. Notwithstanding these difficulties, if I may credit the report of the prisoners, very few who were in town escaped. Expecting a second expedition, their goods were generally packed up and buried. Sixty warriors had crossed the Wabash to watch the paths leading from the Ohio. The head chief, with all the prisoners, and a number of families, were out digging a root which they substitute in the place of the potato; and about one hour before my arrival, all the warriors, except eight, had mounted their horses, and rode up the river to a French store to purchase ammunition. This

ammunition had arrived from the Miami village that very day, and the squaws informed me was stored about two miles from the town. I detached Major Caldwell in quest of it; but he failed to make any discovery, although he scoured the country for seven or eight miles up the river.

"I encamped in the town that night, and the next morning I cut up the corn, scarcely in the milk, burnt the cabins, mounted my young warriors, squaws, and children, in the best manner in my power, and leaving two infirm squaws and a child, with a short talk, I commenced my march for the Kickapoo town in the prairie. I felt my prisoners a vast incumbrance; but I was not in force to justify a detachment, having barely five hundred and twenty-three rank and file, and being then in the bosom of the Ouatennon country, one hundred and eighty miles removed from succor, and not more than one and a half day's march from the Pottawattamies, Shawanees, and Delawares.

"Not being able to discover any path in the direct course to the Kickapoo town, I marched by the road leading to Tippecanoe, in the hope of finding some diverging trace which might favor my design. I encamped that evening about six miles from Ke-na-pa-com-a-quā, the Indian name of the town I had destroyed, and marched next morning at four o'clock. My course continued west until nine o'clock, when I turned to the northwest, on a small hunting path, and, at a short distance, I launched into the boundless prairies of the west, with the intention to pursue that course until I could strike a road which leads from the Pottawattamies of Lake Michigan immediately to the town I sought. With this view, I pushed forward through bog after bog, to the saddle skirts, in mud and water; and after persevering for eight hours, I found myself environed on all sides, with morasses which forbade my advancing, and, at the same time, rendered it difficult for me to extricate my little army. The way by which we had entered was so much beat and softened by the horses, that it was almost impossible to return by that route; and my guides pronounced the morass in front, impassable. A chain of thin groves, extending in the direction of the Wabash, at this time presented itself to my

left. It was necessary I should gain these groves; and, for this purpose, I dismounted, went forward, and leading my horse through a bog, to the armpits in mud and water, with great difficulty and fatigue I accomplished my object; and, changing my course to south by west, I regained the Tippecanoe road at five o'clock, and encamped on it at seven o'clock, after a march of thirty miles, which broke down several of my horses. I am the more minute in detailing the occurrences of this day, because they produced the most unfavorable effects.

"I was in motion at four o'clock next morning, and at eight o'clock my advanced guard made some discoveries which induced me to believe we were near an Indian village. I immediately pushed that body forward in a trot, and followed with Major Caldwell and the second battalion; leaving Major McDowell to take the charge of the prisoners. I reached Tippecanoe at twelve o'clock, which had been occupied by the enemy, who watched my motions and abandoned the place that morning. After the destruction of this town, in June last, the enemy had returned and cultivated their corn and pulse, which I found in high perfection, and in much greater quantity than at l'Anguille, [the French name of Ke-na-pa-com-aqua.] To refresh my horses, and give time to cut down the corn, I determined to halt till the next morning, and then to resume my march to the Kickapoo town, on the prairie, by the road which leads from Ouiatenon to that place. In the course of the day, I had discovered some murmurings and discontent amongst the men, which I found, on enquiry, to proceed from their reluctance to advance farther into the enemy's country. This induced me to call for a state of the horses and provisions; when, to my great mortification, two hundred and seventy horses were returned lame and tired, with barely five days' provisions for the men. Under these circumstances I was compelled to abandon my designs upon the Kickapoos of the prairies, and, with a degree of anguish not to be comprehended but by those who have experienced similar disappointments, I marched forward to a town of the same nation, situate about three leagues west of Ouiatenon: as I advanced to that

town the enemy made some show of fighting me, but vanished at my approach. I destroyed this town, consisting of thirty houses, with a considerable quantity of corn in the milk, and the same day I moved on to Ouiatenon, where I forded the Wabash, and proceeded to the site of the villages on the margin of the prairie, where I encamped at seven o'clock. At this town, and the villages destroyed by General Scott, in June, we found the corn had been replanted, and was now in high cultivation, several fields being well ploughed; all which was destroyed. On the 12th I resumed my march, and, falling into General Scott's return trace, I arrived, without any material incident, at the Rapids of the Ohio, on the 21st instant, [August,] after a march, by accurate computation, of four hundred and fifty-one miles from Fort Washington.

"The volunteers of Kentucky have on this occasion acquitted themselves with their usual good conduct: but, as no opportunity offered for individual distinction, it would be unjust to give one the plaudits to which they all have an equal title. I cannot, however, in propriety, forbear to express my warm approbation of the good conduct of my Majors, McDowell and Caldwell; and of Colonel Russell, who, in the character of a volunteer, without commission, led my advance; and I feel myself under obligations to Major Adair and Captain Parker, who acted immediately about my person, for the services they rendered me, by most prompt, active, and energetic exertions.

"The services which I have been able to render, fall short of my wishes, my intentions, and my expectations. But, sir, when you reflect on the causes which checked my career and blasted my designs, I flatter myself you will believe every thing has been done which could be done in my circumstances. I have destroyed the chief town of the Ouiatenon nation, and made prisoners of the sons and sisters of the king: I have burnt a respectable Kickapoo village, and cut down at least four hundred and thirty acres of corn, chiefly in the milk. The Ouiatenons, [Weas,] left without houses, home, or provisions, must cease to war, and will find active employ to subsist their squaws and children during the impending winter."

The three successive expeditions, under Harmar, Scott, and Wilkinson, fell with considerable severity on the tribes of the Miami and Shawanee nations. Many of their people were killed; their principal villages were plundered and destroyed; their cultivated fields were laid waste; and a number of their men, women, and children, were taken and carried into captivity. But, impressed with the opinion that the United States wished to deprive them of their lands and to exterminate their race, these tribes, instead of being subdued by their misfortunes, were aroused to a state of angry excitement which bordered on desperation. To aid them in their war against the United States they called to their assistance numbers of warriors from the Delaware, Wyandot, Kickapoo, Pottawattamie, Ottawa, Chippewa, and other northern tribes; and while Governor St. Clair was making preparations to establish a military post at the Miami village, the Miami chief Little Turtle, the Shawanee chief Blue Jacket, and the Delaware chief Buck-ong-a-helas, were actively engaged in an effort to organize a confederacy of tribes sufficiently powerful to drive the white settlers from the territory lying on the northwestern side of the river Ohio. These chiefs received counsel and aid from Simon Girty, Alexander McKee, Matthew Elliott,\* and from a number of British, French, and American traders, who generally resided among the Indians, and supplied them with arms and ammunition, in exchange for furs and peltries. At this time the government of Great Britain still supported garrisons at the posts of Niagara, Detroit, and Michilimackinack, notwithstanding it was declared, by the seventh article of the definitive treaty of peace of 1783, that the king of Great Britain would "with all convenient speed, and without causing any destruction, or carrying away any negroes or property of the American inhabitants, withdraw all his forces, garrisons, and fleets, from the United States, and from every post, place, and harbor within the same."† It is here proper to note the grounds on which Great Britain, from 1783 to 1796, refused to withdraw her

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\*McKee and Elliott were subordinate agents in the British Indian Department.

†Laws United States, i. 205.

garrisons from the territory of the United States northwest of the river Ohio. The fourth article of the treaty of peace of 1783, was in these words, viz: "It is agreed that the creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted."\* On the 8th of December, 1785, John Adams, Esq. American Minister at London, laid before the British Secretary of State, a memorial which contained the following passages:

"Although a period of three years has elapsed since the signature of the preliminary treaty, and of more than two years since that of the definitive treaty, the posts of Oswegatchy, Oswego, Niagara, Presque Isle, Sandusky, Detroit, Michilimackinack, with others not necessary to be particularly enumerated, and a considerable territory round each of them, all within the incontestible limits of the United States, are still held by British garrisons, to the loss and injury of the United States. The subscriber, therefore, in the name and behalf of the said United States, and in obedience to their express commands, has the honor to require of his Britannic Majesty's Ministry, that all his Majesty's armies and garrisons be forthwith withdrawn from the United States, from all and every of the posts and fortresses herein before enumerated, and from every other post, place, and harbor within the territory of the United States, according to the true intention of the treaties aforesaid."†

On the 28th of February, 1786, the British Secretary of State, Lord Carmarthen, in an answer to Mr. Adams, said, "I have to observe to you, sir, that it is his Majesty's fixed determination, upon the present as well as every other occasion, to act in perfect conformity to the strictest principles of justice and good faith. The seventh article both of the provisional and of the definitive treaties between his Majesty and the United States clearly stipulates the withdrawing with all convenient speed, his Majesty's armies, garrisons, and fleets, from

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\*Laws United States, i, 204.

†Secret Journal of Congress, iv. 186.

the said United States, and from every post, place, and harbor within the same; and no doubt can possibly arise respecting either the letter or spirit of such an engagement. The fourth article of the same treaties as clearly stipulates, that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted. The little attention paid to the fulfilling this engagement on the part of the subjects of the United States in general, and the direct breach of it in many particular instances,\* have already reduced many of the King's subjects to the utmost degree of difficulty and distress: nor have their applications for redress, to those whose situations in America naturally pointed them out as the guardians of the public faith, been as yet successful in obtaining them that justice to which, on every principle of law as well as of humanity, they were clearly and indisputably entitled. The engagements entered into by treaty ought to be mutual and equally binding on the respective contracting parties. It would, therefore, be the height of folly as well as injustice, to suppose one party alone obliged to a strict observance of the public faith, while the other might remain free to deviate from its own engagements, as often as convenience might render such deviation necessary, though at the expense of its own national credit and importance. I flatter myself, however, sir, that justice will speedily be done to British creditors; and, I can assure you, sir, that whenever America shall manifest a real determination to fulfil her part of the treaty, Great Britain will not hesitate to prove her sincerity to co-operate in whatever points depend upon her for carrying every article of it into real and complete effect."†

In the answer from Lord Carmarthen to Mr. Adams, the government of the United States saw the ostensible grounds on which Great Britain continued to keep possession of the important military and trading posts at Niagara, Detroit, and

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\*Soon after the treaty of peace was ratified, some of the states passed laws which were designed to restrain and impede the collection of debts due from American citizens to British subjects.

†Secret Journal of Congress, iv. 187.

Michilimackinack. There were other considerations, however, which, at this period, influenced in no slight degree, the policy of the British Ministry. The Fur Trade, a very profitable branch of commerce, was carried on almost exclusively by Englishmen and Canadians, who were subjects of Great Britain, and who, by intermarriages with squaws, and a pacific course of trade, had acquired considerable influence over all the Indian tribes of the country northwest of the Ohio. These advantages were too well understood, and too highly appreciated, by Great Britain, to be given up by that government while it could show either a good reason or a plausible pretext for retaining them; and, of course, the British Cabinet viewed with feelings of disapprobation and jealousy, the efforts of the government of the United States to subjugate the Indian tribes and to lay the foundations of independent states in the vast territories on the northwestern side of the river Ohio. Such were the views and sentiments of the British Ministers in 1791, when Governor St. Clair was collecting an army at Fort Washington, for the purpose of establishing a strong military post at the Miami village, in the midst of various tribes of Indians who were nominally under the protection of Great Britain.

## CHAPTER XV.

ON the 28th of March, 1791, Governor St. Clair left the city of Philadelphia, and proceeded to Pittsburgh, which place he reached on the 16th of April. From Pittsburgh he went to Lexington, in the district of Kentucky; and from thence to Fort Washington, where he arrived on the 15th of May. At this time the garrison of regular troops at Fort Washington consisted of seventy-five non-commissioned officers and privates fit for duty. At Fort Harmar the garrison consisted of forty-five, rank and file; at Fort Steuben there were sixty-one regulars; and at Fort Knox (Vincennes) eighty-three. About the 15th of July, the whole of the first United States regiment, amounting to two hundred and ninety-nine non-commissioned officers and privates, arrived at Fort Washington, under orders from Governor St. Clair, the commander in chief. General Richard Butler, who, early in 1791, was appointed second in command of the proposed expedition against the Miami village, immediately after his appointment began to make arrangements for raising the number of regular troops authorized by the act of Congress of the 3d of March. The recruits were drawn principally from the states of New Jersey, Pennsylvania, Maryland, and Virginia; but they were raised slowly, owing partly to the fact that the wages of a daily laborer was greater than that which was paid to a common soldier. The business of the Quartermaster's Department was managed very badly; and other embarrassing circumstances impeded the operations of St. Clair and Butler, during the spring and summer of 1791. Although the most active exertions were made to raise the required number of troops and march them to the frontiers, the

army was not collected at Fort Washington, until the month of September, nor was the establishment even then complete. By virtue of the powers with which Governor St. Clair was invested, he made a call for one thousand one hundred and fifty militia from the district of Kentucky, to supply the deficiency of the regular recruits. Of this number only about four hundred and eighteen Kentucky militia appeared at Fort Washington to join the expedition.

Early in the month of September, the main body of the army, under the immediate command of General Butler, moved from Ludlow's Station, in the vicinity of Fort Washington, and continued its march northward about twenty-five miles, when, on the 17th of September, it halted on the eastern bank of the Great Miami river, and erected a fort which was called Fort Hamilton. Having completed this fort, the army, on the 4th of October, continued its march towards the Miami village, and at a point about twenty miles north of Fort Hamilton erected a light fortification, which was called Fort St. Clair. Advancing northward about twenty-two miles from Fort St. Clair, the army halted and erected another fort which was called Fort Jefferson. This fort was built on a site which lies about six miles south of the present town of Greenville, in Darke County, Ohio. The army was delayed five or six days, on the march from Fort Jefferson, on account of the want of provisions; and the season was so far advanced that sufficient green forage could not be procured for the horses. The following memoranda are extracted from the journal of Governor St. Clair:

"24th October, 1791.—Named the Fort Jefferson, (it lies in lat.  $40^{\circ} 4' 22''$  north,) and marched, the same Indian path serving to conduct us about six miles, and encamped on good ground and an excellent position—a rivulet in front, and a very large prairie, which would, at the proper season, afford forage for a thousand horses, on the left. So ill this day, that I had much difficulty in keeping with the army.

"25th.—Very hard rains last night: obliged to halt to-day, on account of provisions; for though the soldiers may be kept

pretty easy in camp, under the expectation of provision arriving, they cannot bear to march in advance, and take none along with them. I received a letter from Mr. Hodgdon by express; thirteen thousand pounds of flour will arrive on the 27th.

"26th. — A party of militia, sent to reconnoitre, fell in with five Indians and suffered them to slip through their fingers: in their camp articles to the value of twenty-five dollars were found and divided."

"28th. — Some few Indians about us; probably those the militia fell in with a day or two ago. Two of the levies were fired on about three miles off: one killed; two of the militia likewise; one of them got in; the other missing; supposed to be taken."

"30th. — The army moved about nine o'clock, and, with much difficulty, made seven miles, having left a considerable part of the tents by the way; the provision made by the Quartermaster for that purpose was not adequate; three days' flour issued to the men, to add the horses that carried it to his arrangements: the Indian road still with us. The course this day north 25° west.

"31st. — This morning about sixty of the militia deserted: it was at first reported that one half of them had gone off, and that their design was to plunder the convoys [of provisions, &c.] which were upon the roads. Detached the first regiment in pursuit of them, with orders to Major Hamtramck to send a sufficient guard back with [the convoy under] Benham, and to follow the militia about twenty-five miles below Fort Jefferson, or until he met the second convoy, and then return and join the army.

"1st November. — Benham arrived last night; and to-day the army is halted, to give the road cutters an opportunity of getting some distance ahead. \* \* \* I am this day considerably recovered, and hope that it will turn out what I at first expected it would be, a friendly fit of the gout come to relieve me from every other complaint."

On the 3d of November, the main army, consisting of about fourteen hundred effective men, moved forward to a point near

which Fort Recovery was afterwards erected. Here on the head waters of the Wabash river, among a number of small creeks, the army encamped. The right wing of the army, commanded by Major General Butler, and composed of the battalions under Majors Butler, Clarke, and Paterson, lay in front of a creek about twelve yards wide, and formed the first line. The left wing, composed of the battalions under Bedinger and Gaither, and the second regiment under the command of Lieutenant Colonel William Darke, formed the second line. Between the two lines there was a space of about seventy yards, which was all that the ground would allow. The right flank was supposed to be protected by the creek; and the left was covered by a steep bank, a corps of cavalry, and some piquets. The militia marched over the creek, and encamped in two lines, about one quarter of a mile in advance of the main army. There was snow on the ground; and two rows of fires were made between Butler's and Darke's lines, and, also two rows between the lines of the militia. While the militia were crossing the creek a few Indians were seen hovering about the army, but they fled precipitately as soon as they were discovered.

At this time the Little Turtle, Blue Jacket, Buck-ong-a-he-las, and other Indian chiefs of less distinction, were lying a few miles distant from St. Clair's army, with about twelve hundred warriors, awaiting a favorable moment to begin an attack. Simon Girty, and some other white men were with the Indians.

In a letter, dated "Fort Washington, November 9th, 1791," and addressed to the Secretary of War, Governor St. Clair said:—"At this place, [the ground on which the army was encamped on the evening of the 3d of November,] which I judged to be about fifteen miles from the Miami village, I determined to throw up a slight work, the plan of which was concerted that evening with Major Ferguson, wherein to have deposited the men's knapsacks, and every thing else that was not of absolute necessity, and to have moved on to attack the enemy as soon as the first regiment was come up. But they

did not permit me to execute either: for, on the 4th, about half an hour before sunrise, and when the men had been just dismissed from parade, (for it was a constant practice to have them all under arms a considerable time before day-light,) an attack was made upon the militia. Those gave way in a very little time and rushed into camp through Major Butler's battalion, (which, together with a part of Clarke's, they threw into considerable disorder, and which, notwithstanding the exertions of both those officers, was never altogether remedied,) the Indians following close at their heels. The fire, however, of the front line checked them; but almost instantly a very heavy attack began upon that line; and in a few minutes it was extended to the second likewise. The great weight of it was directed against the centre of each, where the artillery was placed, and from which the men were repeatedly driven with great slaughter. Finding no great effect from our fire, and confusion beginning to spread from the great number of men who were falling in all quarters, it became necessary to try what could be done by the bayonet. Lieutenant Colonel Darke was accordingly ordered to make a charge with part of the second line, and to turn the left flank of the enemy. This was executed with great spirit. The Indians instantly gave way, and were driven back three or four hundred yards; but for want of a sufficient number of riflemen to pursue this advantage, they soon returned, and the troops were obliged to give back in their turn. At this moment they had entered our camp by the left flank, having pushed back the troops that were posted there. Another charge was made here by the second regiment, Butler's and Clarke's battalions, with equal effect, and it was repeated several times and always with success: but in all of them many men were lost, and particularly the officers, which, with so raw troops, was a loss altogether irremediable. In that I just spoke of, made by the second regiment and Butler's battalion, Major Butler was dangerously wounded, and every officer of the second regiment fell except three, one of which, Mr. Greateon, was shot through the body.

“Our artillery being now silenced, and all the officers killed except Captain Ford, who was very badly wounded, and more than half of the army fallen, being cut off from the road, it became necessary to attempt the regaining it, and to make a retreat, if possible. To this purpose the remains of the army was formed as well as circumstances would admit, towards the right of the encampment, from which, by the way of the second line, another charge was made upon the enemy, as if with the design to turn their right flank, but in fact, to gain the road. This was effected, and as soon as it was open, the militia took along it, followed by the troops; Major Clarke, with his battalion, covering the rear.

“The retreat, in those circumstances, was, you may be sure, a very precipitate one. It was, in fact, a flight. The camp and the artillery were abandoned; but that was unavoidable; for not a horse was left alive to have drawn it off, had it otherwise been practicable. But, the most disgraceful part of the business is, that the greatest part of the men threw away their arms and accoutrements, even after the pursuit, which continued about four miles, had ceased. I found the road strewn with them for many miles, but was not able to remedy it; for, having had all my horses killed, and being mounted upon one that could not be pricked out of a walk, I could not get forward myself; and the orders I sent forward either to halt the front, or to prevent the men from parting with their arms, were unattended to. The route continued quite to Fort Jefferson, twenty-nine miles, which was reached a little after sun-setting. The action began about half an hour before sunrise, and the retreat was attempted at half an hour after nine o'clock. I have not yet been able to get returns of the killed and wounded; but Major General Butler, Lieutenant Colonel Oldham, of the militia, Major Ferguson, Major Hart, and Major Clarke, are among the former: Colonel Sargent, my Adjutant General, Lieutenant Colonel Darke, Lieutenant Colonel Gibson, Major Butler, and the Viscount Malartie, who served me as an aide-de-camp, are among the latter; and a great number of captains and subalterns in both.

“I have now, sir, finished my melancholy tale—a tale that will be felt sensibly by every one that has sympathy for private distress, or for public misfortune. I have nothing, sir, to lay to the charge of the troops, but their want of discipline, which, from the short time they had been in service, it was impossible they should have acquired, and which rendered it very difficult when they were thrown into confusion, to reduce them again to order, and is one reason why the loss has fallen so heavy on the officers, who did every thing in their power to effect it. Neither were my own exertions wanting: but, worn down with illness, and suffering under a painful disease, unable either to mount or dismount a horse without assistance, they were not so great as they otherwise would, and perhaps ought to have been. We were overpowered by numbers; but it is no more than justice to observe, that, though composed of so many different species of troops, the utmost harmony prevailed through the whole army during the campaign. At Fort Jefferson I found the first regiment, which had returned from the service they had been sent upon, without either overtaking the deserters, or meeting the convoy of provisions. I am not certain, sir, whether I ought to consider the absence of this regiment from the field of action, as fortunate or otherwise. I incline to think it was fortunate: for, I very much doubt whether, had it been in the action, the fortune of the day had been turned; and, if it had not, the triumph of the enemy would have been more complete, and the country would have been destitute of every means of defence. Taking a view of the situation of our broken troops at Fort Jefferson, and that there was no provision in the fort, I called upon the field officers, viz: Lieutenant Colonel Darke, Major Hamtramck, Major Zeigler, and Major Gaither, together with the Adjutant General, [Winthrop Sargent,] for their advice what would be proper further to be done; and it was their unanimous opinion, that the addition of the first regiment, unbroken as it was, did not put the army on so respectable a foot as it was in the morning, because a great part of it was now unarmed; that it had then been found unequal to the enemy, and should they come

on, which was possible, would be found so again: that the troops could not be thrown into the fort, both because it was too small, and that there were no provisions in it: that provisions were known to be upon the road, at the distance of one, or at most two marches: that, therefore, it would be proper to move without loss of time, to meet the provisions, when the men might have the sooner an opportunity of some refreshment, and that a proper detachment might be sent back with it, to have it safely deposited in the fort. This advice was accepted, and the army was put in motion at ten o'clock, and marched all night, and the succeeding day met with a quantity of flour. Part of it was distributed immediately, part taken back to supply the army on the march to Fort Hamilton, and the remainder, about fifty horse loads, sent forward to Fort Jefferson. The next day a drove of cattle was met with for the same place, and I have information that both got in. The wounded, who had been left at that place, were ordered to be brought to Fort Washington by the return horses.

“I have said, sir, in a former part of this letter that we were overpowered by numbers. Of that, however, I have no other evidence but the weight of the fire, which was always a most deadly one, and generally delivered from the ground—few of the enemy showing themselves afoot, except when they were charged; and that, in a few minutes our whole camp, which extended above three hundred and fifty yards in length, was entirely surrounded, and attacked on all quarters. The loss, sir, the public has sustained by the fall of so many officers, particularly General Butler and Major Ferguson, cannot be too much regretted; but it is a circumstance that will alleviate the misfortune in some measure, that all of them fell most gallantly doing their duty. I have had very particular obligations to many of them, as well as to the survivors, but to none more than to Colonel Sargent. He has discharged the various duties of his office with zeal, with exactness, and with intelligence; and on all occasions afforded me every assistance in his power, which I have also experienced from my aid-de-camp, Lieuten-

ant Denny, and the Viscount Malartie, who served with me in the station as a volunteer."

In the disastrous action of the 4th of November, 1791, St. Clair lost thirty-nine officers killed; and five hundred and ninety-three men killed and missing. Twenty-two officers, and two hundred and forty-two men were wounded. The officers killed were, Major General Richard Butler, Lieutenant Colonel Oldham, of the Kentucky militia; Majors Ferguson, Clarke, and Hart; Captains Bradford, Phelon, Kirkwood, Price, Van Swearingen, Tipton, Smith, Purdy, Piatt, Guthrie, Cribbs, and Newman; Lieutenants Spear, Warren, Boyd, McMath, Read, Burgess, Kelso, Little, Hopper, and Lickins; Ensigns Balch, Cobb, Chace, Turner, Wilson, Brooks, Beatty, and Purdy; Quartermasters Reynolds, and Ward; Adjutant Anderson; and Doctor Grasson. The officers wounded were, Lieutenant Colonels Gibson, Darke, and Sargent, (Adjutant General;) Major Butler; Captains Doyle, Trueman, Ford, Buchanan, Darke and Hough; Lieutenants Greateon, Davidson, De Butts, Price, Morgan, McCrea, Lysle, and Thomson; Ensign Bines; Adjutants Whistler and Crawford; and the Viscount Malartie, volunteer aid-de-camp to the commander in chief. Several pieces of artillery, and all the baggage, ammunition, and provisions, were left on the field of battle, and fell into the hands of the Indians. The stores and other public property, lost in the action, were valued at thirty-two thousand eight hundred and ten dollars and seventy-five cents.\* The loss of the Miamies and their confederates has never been satisfactorily ascertained; but it did not, probably, exceed one hundred and fifty, in killed and wounded.

With the army of St. Clair, following the fortunes of their husbands, there were more than one hundred women.† Very few escaped the carnage of the 4th of November, and after the flight of the remnant of the army, the Indians began to avenge their own real and imaginary wrongs by perpetrating

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\*Report of Secretary of War, December 11, 1792.

†Atwater, in his History of Ohio, says 'there were about two hundred and fifty women.'

the most horrible acts of cruelty and brutality upon the bodies of the living and the dead Americans who fell into their hands. Believing that the whites, for many years, made war merely to acquire land, the Indians crammed clay and sand into the eyes, and down the throats, of the dying and the dead. The field of action was visited by Brigadier General James Wilkinson, at the head of a small detachment of mounted militia, on the 1st of February, 1792, about three months after the battle. In a letter, dated "Fort Washington, 13th February, 1792," written by Captain Robert Buntin, and addressed to Governor St. Clair, this expedition of Wilkinson is noticed as follows: "I went with General Wilkinson to the field of action to recover the artillery carriages, which he was informed remained there, and to bury the dead. His little army for this excursion was composed of about one hundred and fifty regulars, and one hundred and thirty-one volunteer militia on horseback. He has a good talent for pleasing the people: there is no person in whom they have more confidence: none more capable to lead them on. It appears as if he made the Indian mode of warfare his study since he first came to this country. I think him highly worthy your friendship, from his attachment to your person and interest.

"The regulars left Fort Washington, as an escort to provisions for Fort Jefferson, on the 24th ultimo—the snow about ten inches deep—and we marched next morning with the volunteers. The sledges which transported the forage delayed us so much that we did not get to Fort Jefferson until the 30th, about twelve o'clock. The General was much longer in getting to this place than he expected; and in order to expedite the business and avoid expense, he ordered the regulars to return to Fort Washington. This morning, [30th,] the wind from the southward, with a constant fall of snow, rain, and hail, and a frost the following night, made the breaking of the road very difficult: though the front was changed every fifteen or twenty minutes, the road was marked with the horses' blood from the hardness of the crust on the snow. We left Fort Jefferson, about nine o'clock on the 31st, with the volunteers,

and arrived within eight miles of the field of battle that evening, and next day we arrived at the ground about ten o'clock. The scene was truly melancholy. In my opinion those unfortunate men who fell into the enemy's hands, with life, were used with the greatest torture—having their limbs torn off; and the women have been treated with the most indecent cruelty, having stakes, as thick as a person's arm, drove through their bodies. The first, I observed when burying the dead; and the latter was discovered by Colonel Sargent and Doctor Brown. We found three whole carriages; the other five were so much damaged that they were rendered useless. By the General's orders pits were dug in different places, and all the dead bodies that were exposed to view, or could be conveniently found (the snow being very deep) were buried. During this time, there was sundry parties detached, some for our safety, and others in examining the course of the creek; and some distance in advance of the ground occupied by the militia, they found a large camp, not less than three quarters of a mile long, which was supposed to be that of the Indians the night before the action. We remained on the field that night, and next morning fixed geared horses to the carriages, and moved for Fort Jefferson. \* \* \* As there is little reason to believe that the enemy have carried off the cannon, it is the received opinion that they are either buried, or thrown into the creek, and I think the latter the most probable; but, as it was frozen over with a thick ice, and that covered with a deep snow, it was impossible to make a search, with any prospect of success. In a former part of this letter I have mentioned the camp occupied by the enemy the night before the action: had Colonel Oldham been able to have complied with your orders on that evening, things at this day might have worn a different aspect."

The defeat of the expedition under the command of St. Clair disappointed the expectations of the General Government of the United States, alarmed the inhabitants of the western districts of Pennsylvania and Virginia, and checked, for a short period, the tide of emigration which had been flowing from the

eastern and middle states into the territory northwest of the Ohio. The principal causes of the failure of the expedition were, the mismanagement of the Quartermaster's Department, the unfavorable season at which the army marched to attack the Indians, and the want of discipline in the troops. The failure of the expedition cannot justly be imputed to the conduct of the commander in chief, at any time before or during the battle. St. Clair, however, resigned the office of Major General; and Anthony Wayne, a native of Chester County, Pennsylvania, and a distinguished officer of the Revolutionary War, was appointed to fill his place. This officer, then in the forty-seventh year of his age, was intelligent, courageous, cautious, and energetic; and with him, in command, were associated Brigadier Generals James Wilkinson and Thomas Posey, who, as officers in the Revolutionary War, had acquired fair military reputation. Early in 1792, provisions were made by the General Government for re-organizing the military establishment of the United States, so that the army should consist of five thousand one hundred and twenty non-commissioned officers, privates and musicians; and it was determined that an adequate part of this force, which was called the Legion of the United States, should be raised as soon as possible, and placed upon the western frontiers, under the command of Major General Wayne, and disciplined according to the nature of the service, in order to meet, with a prospect of success, the greatest probable combination of the hostile Indians. In the early part of the month of June, 1792, Wayne arrived at Pittsburgh, which was the place appointed for the rendezvous of the new recruits. Many of the most experienced officers having been slain in the defeats of Harmar and St. Clair, and others having resigned their commissions, the duties of Wayne became arduous and full of perplexity. Several of the officers under his command, and nearly all the private soldiers were ignorant of military tactics, and without discipline; but, in the words of a credible writer,\* "by the salutary measures adopted to introduce order and discipline, the army soon began to assume

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\*Vide Atkinson's Casket, for 1830, quoted in Hall's Life of General Harrison, p. 25.

its proper character. The troops were daily exercised in all the evolutions necessary to render them efficient soldiers, and more especially in those manœuvres proper in a campaign against savages. Firing at a mark was constantly practised, and rewards given to the best marksmen. To inspire emulation, the riflemen and the infantry strove to excel, and the men soon attained to an accuracy that gave them confidence in their own prowess. On the artillery the General impressed the importance of that arm of the service. The dragoons he taught to rely on the broadsword, as all important to victory. The riflemen were made to see how much success must depend on their coolness, quickness, and accuracy; while the infantry were led to place entire confidence in the bayonet, as the certain and irresistible weapon before which the savages could not stand. The men were instructed to charge in open order; each to rely on himself, and to prepare for a personal contest with the enemy."

On the 28th of November, 1792, the army left Pittsburgh, and moved down the Ohio about twenty-two miles, to a point which was named Legionville, where it remained until the 30th of April, 1793, when it moved in boats down the river to Fort Washington; and encamped near that fort at a place which was called "Hobson's Choice." At this place the main army was kept until the 7th of October, 1793: on the 23d of October the effective force under the command of Wayne amounted to about three thousand six hundred and thirty men. In addition to this force, a small number of friendly Indians, principally from the south, were engaged as auxiliaries in the service of the United States. Among these Indians there were about sixty Choctaws, under the command of a chief who was called General Humming Bird. In a report which was laid before the President of the United States, on the 26th of December, 1791, the Secretary of War said, "The expediency of employing the Indians in alliance with us, against the hostile Indians, cannot be doubted. It has been shown before, how difficult, and even impracticable, it will probably be to restrain the young men of the friendly tribes from action, and that if

we do not employ them, they will be employed against us. The justice of engaging them would depend on the justice of the war. If the war be just on our part, it will certainly bear the test of examination, to use the same sort of means in our defence, as are used against us. The subscriber, therefore, submits it as his opinion, that it would be proper to employ judiciously, as to time and circumstances, as many of the friendly Indians as may be obtained, not exceeding one thousand in number."

From the early part of the year 1792 to the 16th of August, 1793, while Major General Wayne was recruiting and organizing his army, the government of the United States continued to make efforts to establish treaties of peace and friendship with the hostile tribes of the northwestern territory. In order to effect this object, and to acquire information of the movements and designs of the Indians, messengers with speeches, commissioners invested with powers to make treaties, and spies with secret instructions, were almost constantly employed, by the government and its officers. The messengers and the commissioners were instructed to assure the Indians "*in the strongest and most explicit terms*, that the United States renounced all claim to any Indian land which had not been ceded by fair treaties, made with the Indian nations;"\* and, for the purpose of informing the Indians of the extent of the claims of the United States, the commissioners were furnished with copies of the following treaties: 1.—A copy of the treaty of Fort Stanwix, made on the 22d of October, 1784. 2.—A copy of the treaty of Fort McIntosh, made on the 21st of January, 1785. 3.—A copy of the treaty made at the mouth of the Great Miami river, on the 31st of January, 1786. 4.—Copies of the treaties made at Fort Harmar, on the 9th of January, 1789. To promote the object of the commissioners and the messengers, Wayne was instructed, in April, 1792, to issue a proclamation informing the people of the frontiers of the proposed attempts to conclude a treaty of peace, and prohibiting all offensive movements

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\*Instructions from the Secretary of War to General Rufus Putnam, 22d May, 1792.

of the whites, to the northward of the Ohio, until they should receive further information on the subject.

At Vincennes, in March, 1792, Major Hamtramck concluded treaties of peace with some small parties of the Wea and Eel river tribes; and about the same time he despatched several messages to the hostile tribes.

On the 7th of April, 1792, Brigadier General Wilkinson sent two messengers (Freeman and Gerrard) from Fort Washington with a speech to the Indians on the Maumee. These messengers were captured by a party of Indians, who, on being informed that their captives were messengers of peace, spared their lives, and conducted them towards the Rapids of the Maumee; but, while moving on the route to that place, Freeman and Gerrard asked so many questions concerning the numbers of different tribes, the course of streams, &c. that their conductors took them to be spies, and killed them when they were within one day's march of the main body of the Indian councils.

The following extract of a letter (dated "Fort Washington, April 10, 1792,") from Brigadier General Wilkinson to Captain John Armstrong, then the commanding officer at Fort Hamilton, will throw some light upon the nature of the perilous service of those who were employed as spies:—"My messengers, Freeman at the head, left this on the 7th, with a Big Talk, and are ordered to keep Harmar's trace, which will be an evidence to the enemy that they have no sinister designs in contemplation. If they are received, and are suffered to return they have my directions to come by Fort Jefferson. You must order William May to desert in a day or two, or must cover his departure by putting him in the way to be taken prisoner—as you may deem best. I consider the first preferable in one point of view; that is, it would guard him effectually against any real desertion which may hereafter take place. It will be exceedingly difficult, if not impracticable, for him ever to make a second trip with success. However, that will depend, in a great measure, upon the fertility of his own genius.

“He should cross the Miami at or near your post, and keep a due north course—remarking, critically, the distance, ground and water courses over which he may pass, until he strikes the St. Mary’s, the site of the old Miami village, and the first town. His first business will be to find out what has become of my messengers. If they have been received and well treated, he may authenticate the sincerity and good faith which has prescribed their journey. For this purpose, he must be made acquainted with the departure of the messengers, and the order restraining offensive hostilities. But if they have been killed, or made prisoners, and the enemy positively refuse to treat, then, so soon as he clearly ascertains these facts, he must return to us by the nearest and safest route. If this occasion should not present, he is to continue with the enemy—and is, at all events, to acquire their confidence. To this end, he must shave his head—assume their dress—adopt their habits and manners—and always be ready for the hunt, or for war. His greatest object, during his residence with the enemy, will be to find out the names of the nations which compose the confederacy now at war—their numbers, and the situation of their respective towns, as to course and distance from the old Miami village, and the locality of each. He will discover the names, residence, interests, and influence of all the white men now connected with those savages; and whether the British stimulate, aid, or abet them, and in what manner—whether openly by the servants of government or indirectly by traders. He will labor to develope what are the general determinations of the savages, in case the war is continued and we gain possession of their country. Having made himself master of these points, or as far as may be practicable, he will embrace the first important occasion to come into us. Such will be the moment when the enemy collectively take the field and advance against our army or a detachment of it, and have approached it within a day’s march.

“Should he execute this mission with integrity and effect, I pledge myself to restore him to his country; and will use my

endeavors to get him some little establishment to make his old age comfortable." \*

About the 20th of May, 1792, Major Alexander Trueman, of the first United States regiment, and Colonel John Hardin, of Kentucky, left Fort Washington with copies of a speech from President Washington to the hostile Indians. Major Trueman was engaged in this service by his own consent and desire, and he was joined by Colonel Hardin, who undertook to discharge the duties of a peace messenger, at the request of Wilkinson. The speech with which these officers were charged was addressed "To all the Sachems and Warriors of the tribes inhabiting the Miami river of Lake Erie, and the waters of the Wabash river, the Wyandots, Delawares, Ottawas, Chippewas, Pottawattamies, and all other tribes residing to the southward of the Lakes east of the Mississippi, and to the northward of the river Ohio;" and it contained the passages which follow: "Brothers: The President of the United States, General Washington, the great chief of the nation speaks to you by this address. Summon, therefore, your utmost powers of attention, and hear the important things which shall be spoken to you concerning your future welfare; and after having heard and well understood all things, invoke the Great Spirit above to give you due deliberation and wisdom, to decide upon a line of conduct that shall best promote your happiness, and the happiness of your children, and perpetuate you and them on the land of your forefathers. Brothers: The President of the United States entertains the opinion that the war which exists is founded in error and mistake on your parts: That you believe the United States wants to deprive you of your lands, and drive you out of the country. Be assured this is not so: on the contrary, that we should be greatly gratified with the opportunity of imparting to you all the blessings of civilized life,

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\* May deserted, according to orders, and continued to reside among the Indians, until the latter part of September, 1792, when he left them, and arrived at Pittsburgh, and made a report to Major General Wayne. On the 18th of August, 1794, May was captured by the Indians, near the Rapids of the Maumee: on the next day he was tied to a tree and shot.

of teaching you to cultivate the earth, and raise corn; to raise oxen, sheep, and other domestic animals; to build comfortable houses, and to educate your children, so as ever to dwell upon the land. \* \* \* War, at all times, is a dreadful evil to those who are engaged therein, and more particularly so where a few people engage to act against so great numbers as the people of the United States. Brothers: Do not suffer the advantages you have gained to mislead your judgment, and influence you to continue the war; but reflect upon the destructive consequences which must attend such a measure. The President of the United States is highly desirous of seeing a number of your principal chiefs, and convincing you, in person, how much he wishes to avoid the evils of war for your sake, and the sake of humanity. Consult, therefore, upon the great object of peace; call in your parties, and enjoin a cessation of all further depredations; and as many of the principal chiefs as shall choose, repair to Philadelphia, the seat of the General Government, and there make a peace founded on the principles of justice and humanity. Remember that no additional lands will be required of you, or any other tribe, to those that have been ceded by former treaties, particularly by the tribes who had a right to make the treaty of Muskingum, [Fort Harmar,] in the year 1789. But, if any of your tribes can prove that you have a fair right to any lands comprehended by the said treaty, and have not been compensated therefor, you shall receive a full satisfaction upon that head. The chiefs you send shall be safely escorted to this city; and shall be well fed and provided with all things for their journey. \* \* \* Come, then, and be convinced for yourselves, of the beneficence of General Washington, the great chief of the United States, and afterwards return and spread the glad tidings of peace and prosperity of the Indians to the setting sun."

By an agreement between Hardin and Trueman, they resolved to follow Harmar's trace for some distance, and then to separate; the former to go among the Indians about Sandusky, and the latter to proceed to the Rapids of the Maumee. These officers lost their lives on their mission of peace. The place

and the circumstances of their death are involved in obscurity. A deposition, which was made by William May,\* before Major General Wayne, on the 11th of October, 1792, contained the statement which here follows:—"That, in the latter end of June, [1792,] some Indians came on board the vessel for provisions; among whom was one who had two scalps upon a stick; one of them he knew to be William Lynch's, (Major Trueman's waiter,) with whom he [May] was well acquainted; he had light hair. That he mentioned at once whose scalp it was. The other they said was Major Trueman's: it was darker than Lynch's. The manner in which Trueman was killed, was mentioned by the Indian who killed him, to an Indian who used to go in the vessel with May, in his presence, and immediately interpreted, viz: This Indian and an Indian boy having met with Trueman, his waiter Lynch, and the interpreter William Smalley; that Trueman gave the Indian a belt; that after being together three or four hours the Indians were going to leave them. Trueman enquired the reason from the interpreter, who answered that the Indians were alarmed, lest, there being three to two, they might injure them in the night. Upon which, Trueman told them they might tie both his servant and himself. That his boy, Lynch, was first tied and then Trueman. The moment Trueman was tied the Indian tomahawked and scalped him, and then the boy. That the papers in possession of Trueman were given to Mr. McKee, who sent them by a Frenchman called Captain Le Motte, to Detroit, on board the schooner of which he, May, had the charge. That, upon his return from Detroit to the Rapids [of the Maumee] he saw a scalp said to be Hardin's; that he also saw a flag by the route of Sandusky; and that the hair was dark brown; but don't know by what nation he was killed: these papers were also sent to Detroit, on board the schooner, by Mr. Elliott. That a Captain Brumley, of the fifth British Regiment, was in the

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\* May, after leaving Fort Hamilton, was captured by a party of Indians, and by them sold to Captain Matthew Elliott, who placed him on board of a small schooner, which was used to transport provisions, &c. from Detroit to the Rapids of the Maumee. Colonel Alexander McKee and Captain Elliott kept stores at the Rapids.

action [of the 4th of November, 1791,] but did not learn that he took any command; that Lieutenant Sylvey, of the same regiment, was on his march with three hundred Indians, but did not get up in time to participate in the action; that Simon Girty told him there were twelve hundred Indians at the place, but three hundred of them did not engage, who were taking care of the horses, exclusive of the three hundred with Lieutenant Sylvey; in all fifteen hundred. \* \* \* That it was the common opinion, and the common conversation that no peace would take place, unless the Ohio river be established as the boundary line between the Indians and the Americans."

At Vincennes, on the 27th of September, 1792, Brigadier General Rufus Putnam, being accompanied on his mission by John Heckewelder, concluded a treaty of peace and friendship with thirty-one Indians of the Wabash and Illinois tribes. The following is a copy of this treaty:

"A treaty of peace and friendship, made and concluded between the President of the United States of America, on the part of the said States, and the undersigned kings, chiefs, and warriors, of the Wabash and Illinois Indian tribes, on the part and behalf of the said tribes:

"The parties being desirous of establishing a permanent peace and friendship between the United States and the said Indian tribes, and the citizens and members thereof, and to remove the causes of war, the President of the United States by Rufus Putnam, one of the Judges of the Territory of the United States northwest of the river Ohio, and Brigadier General in the army, whom he hath vested with full powers for these purposes; and the said Wabash and Illinois tribes, by the undersigned kings, chiefs, and warriors, representing the said tribes, have agreed to the following articles, viz:

"Article 1.—There shall be perpetual peace and friendship between all the citizens of the United States of America, and all the individuals, villages, and tribes, of the said Wabash and Illinois Indians.

"Article 2.—The undersigned kings, chiefs, and warriors, for themselves, and all parts of their villages and tribes, do

acknowledge themselves to be under the protection of the United States of America, and stipulate to live in amity and friendship with them.

“Article 3.—The said tribes shall deliver, as soon as practicable, to the commanding officer at Fort Knox, all citizens of the United States, white inhabitants or negroes, who are now prisoners among any of the said tribes.

“Article 4.—The United States solemnly guaranty to the Wabash and Illinois nations, or tribes of Indians, all the lands to which they have a just claim; and no part shall ever be taken from them, but by a fair purchase, and to their satisfaction. That the lands originally belonged to the Indians: it is theirs, and theirs only. That they have a right to sell, and a right to refuse to sell. And that the United States will protect them in their said just rights.

“Article 5.—The said kings, chiefs, and warriors solemnly promise, on their part, that no future hostilities or depredations shall be committed by them, or any belonging to the tribes they represent, against the persons or property of any of the citizens of the United States. That the practice of stealing negroes and horses from the people of Kentucky, and other inhabitants of the United States, shall forever cease. That they will, at all times, give notice to the citizens of the United States of any designs which they may know, or suspect to be formed, in any neighboring tribe, or by any person whatever, against the peace and interest of the United States.

“Article 6.—In cases of violence on the persons or property of the individuals of either party, neither retaliation or reprisal shall be committed by the other until satisfaction shall have been demanded of the party, of which the aggressor is, and shall have been refused.

“Article 7.—All animosities for past grievances shall henceforth cease, and the contracting parties will carry the foregoing treaty into full execution, with all good faith and sincerity.

“In witness of all and every thing herein determined, between the United States of America and the villages and tribes of the undersigned kings, chiefs, and warriors, the parties have

hereunto set their hands and seals, at Post Vincennes, on the Wabash river, this twenty-seventh day of September, 1792.

RUFUS PUTNAM, Brigadier General,  
and Agent for making peace with the Indians."

[Signed by thirty-one Indians of the Wabash and Illinois tribes.\*]

Early in the summer of 1792, Major Hamtramck received a speech from Lagesse, the principal chief of the Pottawattamie nation. In this speech the chief said — "We are very glad to hear from you; but sorry we cannot comply with your request [to send a deputation of chiefs to Fort Washington.] The situation of affairs in this country prevents us. We are every day threatened by the other Indians, that if we do not take a part with them against the Americans, they will destroy our villages. This, alone, my father, makes it necessary for all the chiefs to remain at home. \* \* \* My father: You tell us you are ignorant why the red people makes war on your white people. We are as ignorant of it as you are: for, ever since the beginning of the war, we have laid still in our villages, although we have been repeatedly invited to go to war; but, my father, the confidence we have in you has prevented us from making war against you, and we hold you by the hand with a stronger grip than ever. My father: Keep up your spirits more than ever; for you have this year more red people to fight than you have had yet. \* \* \* If I could give you a hand I would do it; but I cannot: and I am glad if me and my people can have a quiet life this summer. If I had been disposed to believe all the reports I have heard, I would have made your messengers prisoners; for we are told they are spies, and that you have an army coming against us; but I am deaf to every thing that comes from the Miamies. Every day we receive messengers from those people, but we have been deaf to them, and will remain so."

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\*This treaty was laid before the Senate of the United States, on the 13th of February, 1793. The fourth article was deemed particularly objectionable; and the Senate, after several consultations, finally, on the 9th of January, 1794, refused to ratify the treaty, by a vote of 21 to 4.—[Sec Executive Journal of the Senate, i. 128, 134, 135, 144, 145, 146.]

During the months of July, August, and September, 1792, a great number of Indians, of the Miami, Pottawattamie, Delaware, Shawanee, Chippewa, Ottawa, and Wyandot tribes, assembled at the Rapids of the Maumee, for the purpose of holding a grand council. About this time several chiefs of the Six Nations, at the request of the Secretary of War, visited the councils of the northwestern tribes, and made some efforts to induce the hostile Indians to establish a treaty of peace with the United States. The Indians in council, however, determined that they would make no treaty that would confirm or acknowledge the claims of the United States to any portion of the territory northwest of the river Ohio. The grand council broke up about the 10th of October.

In 1792 and 1793, while offensive operations against the northwestern Indians were prohibited by the government of the United States, small war parties, composed principally of Delawares and Shawanees, continued to lurk about the white settlements on the borders of the Ohio—way-laying the paths, capturing horses and cattle, killing some of the settlers, and carrying others into captivity. On the morning of the 6th of November, 1792, at day-break, about one hundred Kentucky militia, under the command of Major Adair, were attacked in their camp by a strong body of Indians, and forced, after a short engagement, to retire into Fort St. Clair, which was within gun-shot of the scene of action. In this skirmish the troops under Adair lost six men killed; and five wounded, together with the camp equipage, and one hundred and forty pack-horses. In a letter which was sent to Brigadier General Wilkinson immediately after the action, Major Adair said—“My officers, and a number of my men distinguished themselves greatly. Poor Hail died calling to his men to advance. Madison’s bravery and conduct need no comment: they are well known. Flinn and Buchanan acted with a coolness and courage which does them much honor. Buchanan, after firing his gun, knocked an Indian down with the barrel. \* \* \* I can, with propriety say that about fifty of my men fought with a bravery equal to any men in the world: and had not the gar-

rison been so nigh, as a place of safety for the bashful, I think many more would have fought well. The enemy have, no doubt, as many men killed as myself."

At this time Fort Hamilton, Fort St. Clair, and Fort Jefferson, were garrisoned by small detachments of regular troops, who were poorly clad, and generally destitute of money. On the 13th of September, 1792, Captain John Armstrong, the commanding officer at Fort Hamilton, wrote a letter to Wilkinson, from which the following is an extract: "I must, my dear General, in justice to my own feelings and to the men I command, repeat my complaint on the subject of clothing. It is known to you, sir, that my command has been a continued scene of fatigue; and it is a reflection upon the nation that the men should serve six months without clothing. *They are now performing the duties of soldiers without a shirt or shoes*, and seven months pay due them. What can the public expect from men thus treated?—called upon, naked as they are, to perform the hardest service; destitute of money to purchase for themselves even a chew of tobacco."

In the course of the years 1790, 1791, and 1792, twenty-three statutes, providing for the administration of justice in the Territory of the United States northwest of the river Ohio, were adopted and published at Cincinnati, by Governor St. Clair, (or in his absence the acting Governor Winthrop Sargent,) and the Judges of the Superior Court of the territory. The following is a list of the titles of these statutes:

I.—An act to alter the terms of General Court.—Passed on the 4th of November, 1790. [By this act it was declared that the several terms of the General Court of the territory should be held at the following times and places, viz: In the county of Knox, (at Vincennes) on the first Tuesday in May, yearly and every year. In the county of St. Clair, (at Kaskaskia) on the second Tuesday in June, yearly and every year. In the county of Hamilton, (at Cincinnati) on the first Tuesday in October, yearly and every year: and in the county of Washington, (at Marietta) on the second Tuesday in November, yearly and every year.]

II.—An act to augment the terms of the County Courts of Common Pleas from two to four terms in the year; and to increase the number of Judges in the said court, and also of the Justices of the Quorum in the several counties.—Passed on the 6th of November, 1790. [By this act the Governor was authorized to commission not less than three nor more than seven Judges in each county; and to increase the Justices of the Quorum, in the several counties, to any number not exceeding nine in each and every county.]

III.—An act to authorize and require the Courts of General Quarter Sessions of the Peace to divide the counties into townships, and to alter the boundaries of the same when necessary; and also to appoint Constables, Overseers of the Poor, and Clerks of the townships; and for other purposes therein mentioned.—Passed on the 6th of November, 1790.

IV.—An act supplementary to a law entitled “A law respecting crimes and punishments,” published at Marietta, on the 6th of September, 1788.—Passed on the 22d day of June, 1791.

V.—An act for the punishment of persons tearing or defacing publications set up by authority.—Passed on the 22d day of June, 1791. [The second section of this act was in the words following: “*And be it further enacted*, That if, as aforesaid, any person shall wilfully and maliciously deface, obliterate, tear down, or destroy, in part or in whole, any publication of the Banns of Matrimony, or advertisement respecting Estrays, or any other notification set up in pursuance of any act or law now or which hereafter may be in force within this territory, such offender shall for every such offence of which he may be convicted, as aforesaid, be set in the stocks for three hours and pay costs, or stand committed to prison till the same are paid: any thing in this or any other act or law to the contrary notwithstanding.]

VI.—An act creating the office of Clerk of the Legislature. Passed on the 22d day of June, 1791.

VII.—An act for rendering authentic as evidence in the Courts of this Territory, the public acts, records and judicial

proceedings of Courts in the United States.— Passed on the 22d day of June, 1791.

VIII.— An act abolishing the distinction between the crimes of Murder and Petit Treason.— Passed on the 22d day of June, 1791.

IX.— An act regulating the enclosures of grounds.— Passed on the 29th day of June, 1791.

X.— An act to alter and amend the Militia Laws.— Passed on the 2d day of July, 1791. [By the second section of this law it was enacted “That whenever persons enrolled in the Militia of this territory shall assemble at any place of public worship, every such person shall arm and equip himself according to law, as if he were marching to engage the enemy.”]

XI.— An act for granting Licenses to Merchants, Traders, and Tavern-keepers.— Passed on the 1st day of August, 1792. [One of the clauses of the fifth section of this act was in these words: “And each and every person obtaining license from the commissioners as aforesaid, shall set up, in a proper manner, on the front and outside of his house next the street, a board or sign with his or her name written thereon, and some device expressive of his business as a Tavern-keeper or Retailer of Liquors, on which board or sign shall also be written in fair large letters ‘BY AUTHORITY A TAVERN,’ or ‘BY AUTHORITY A RETAILER,’ as the case may be.]

XII.— An act creating the offices of Treasurer General of the Territory, and Treasurers for the Counties.— Passed on the 1st day of August, 1792.

XIII.— An act directing the manner in which money shall be raised and levied to defray the charges which may arise within the several counties in the Territory.— Passed on the 1st of August, 1792.

XIV.— An act for opening and regulating Highways.— Passed on the 1st of August, 1792.

XV.— An act directing the building and establishing of a Court House, County Jail, Pillory, Whipping Post and Stocks, in every county.— Passed on the 1st day of August, 1792.

XVI.—An act for the better regulation of Prisons.—Passed on the 1st day of August, 1792. [By a clause in the fourth section of this act, it was declared that “the person assisting in an escape shall be punished by fine, imprisonment, whipping, pillory, or setting on the gallows with a rope about his or her neck; or any one or more of the said punishments as the court having cognizance thereof shall think proper to inflict.”]

XVII.—An act for the disposition of Strays.—Passed on the 1st day of August, 1792.

XVIII.—An act to repeal certain parts of an act entitled “an act creating the office of clerk of the Legislature.”—Passed on the 1st day of August, 1792.

XIX.—An act supplementary to a law entitled “a law regulating Marriages.”—Passed on the 1st day of August, 1792. [By this act Justices of the Peace were empowered to solemnize marriages within their respective counties, on the banns being published according to law, or by special license from the Governor.]

XX.—An act to regulate the admissions of Attorneys.—Passed on the 1st day of August, 1792. [By this act attorneys were required to take and subscribe an oath in the following form: “I swear that I will do no falsehood, nor consent to the doing of any, in the Courts of Justice; and if I know of any intention to commit any, I will give knowledge thereof to the justices of the said courts or some of them, that it may be prevented. I will not wittingly or willingly promote or sue any false, groundless, or unlawful suit, nor give aid or counsel to the same; and I will conduct myself in the office of an Attorney within the said courts according to the best of my knowledge and discretion, and with all good fidelity as well to the courts as my clients. So help me God.”]

XXI.—An act empowering the Judge of Probate to appoint Guardians to Minors and others.—Passed on the 1st day of August, 1792.

XXII.—An act prescribing the forms of writs in civil causes, and directing the mode of proceeding therein.—Passed on the 1st day of August, 1792.

XXIII.—An act establishing and regulating the fees of the several officers and other persons therein mentioned.—Passed on the 1st day of August, 1792. [This act allowed “to the Attorney of the United States for drawing an Indictment in the Sessions, fifty cents.—To Jailors, for turning the key on the commitment of each prisoner, fifteen cents in and fifteen cents out.” To the foreman of a Grand Jury, sixty cents per day; to each other Grand Juror fifty cents per day. To a Justice of the Peace, “for hearing a complaint, and issuing a warrant, twenty-five cents,” etc.]

## CHAPTER XVI.

ON the 2d day of March, 1793, Benjamin Lincoln, of Massachusetts, Beverley Randolph, of Virginia, and Timothy Pickering, of Pennsylvania, were appointed, by the President of the United States, commissioners for the purpose of negotiating a peace with the nations of Indians in the northwestern territory. These negotiators, or a majority of them, (or any one of them, in case of the death, sickness, or non-attendance of the other two,) were, by their public commissions, invested with "full power and authority to confer on, treat of, renew, conclude, and sign, with such persons as by the said nations shall appear to them to be fully authorized thereto, a treaty or treaties of peace and amity between the United States and the said Indian nations." The following passages are copied from the secret instructions which were given by the President of the United States to Messrs. Lincoln, Randolph and Pickering on the 26th day of April, 1793.

"Gentlemen: You must be well aware of the extreme dislike of the great majority of the citizens of the United States to an Indian war, in almost any event; and with how much satisfaction they would embrace a peace upon terms of justice and humanity. To you, therefore, this negotiation is entrusted, with the hope that you will, by your intelligence and perseverance, be able to close a scene of hostilities, which, on the part of the United States, have been dictated by the protection due their frontier citizens. In order that you may possess all the knowledge in the power of the executive to give, you have herewith furnished the several papers upon this subject, enumerated in the schedule annexed, which contains information,

from the peace between Great Britain and France, in the year 1763, until the present time. With respect to the treaties made between the United States and the several hostile tribes, since the peace with Great Britain in 1783, *it is to be observed, that the treaty of Fort Harmar, made in January, 1789, is regarded as having been formed on solid grounds—the principle being that of a fair purchase and sale.* The Government considers the Six Nations, who claimed the lands by virtue of former conquests, lying between the Ohio and Lake Erie, which were ceded and confirmed to the United States by said treaty with the said Six Nations, together with the Wyandots and Delawares, and Ottawas, and other western Indians, who were the actual occupants of the lands, as the proper owners thereof: that they had a right to convey the said lands to the United States: *and that they did accordingly make the said conveyance, with their free consent and full understanding.* Parties, however, who were not at the treaty of Fort Harmar, may have been either at the treaty of Fort McIntosh, or the Miami. Buck-ong-a-he-las, a chief of the Delawares, was at the latter. But, if it shall appear, upon a further investigation of the subject, at the place of conference, that there were other tribes interested in the lands then ceded to the United States, than those who subscribed the said treaty, or that the consideration given was inadequate, it may be proper, in either or both cases, that a liberal compensation be made to the just claimants.

“It will, therefore, be one of the first objects of the proposed treaty, to ascertain from the Indians what tribes are the allowed proprietors of the country lying to the northward of the Ohio and to the southward of the lakes. You will perceive by Hutchin’s map, herewith delivered, the boundaries confirmed by the said treaty of Fort Harmar to the United States; and, also, the tracts which have been granted by the United States to the late army, and to particular companies of men. You will endeavor, to the utmost of your power, to induce the tribes claiming a right to the said lands, to confirm the boundary established by the said treaty of Fort Harmar, with the Six

Nations, and Wyandots, Delawares, &c.—for which purpose, you will, among other considerations, offer—

“First: The guaranty of the United States of the right of soil, to all the remaining lands in that quarter, against the citizens or inhabitants of the United States.

“Secondly: That the United States will relinquish the places mentioned in the said treaty as trading posts, to the northward of the general boundary; excepting, however, the grounds upon which the forts are erected, now occupied by the British troops; and which, by the treaty of peace of 1783, were ceded to the United States, together with the portions of land in the vicinity of said forts, in possession of the white inhabitants, and which have been purchased of the Indians.

“Thirdly: The United States will relinquish any of the military posts, which shall appear to be established without the boundaries of the treaty of Fort Harmar, or the boundaries which you may agree upon.

“Fourthly: That the United States will pay to the several tribes, in the proportions which shall be agreed upon, the sum of fifty thousand dollars, in goods, according to a tariff of articles to be settled at the treaty. The tariff shall include the prime cost of the goods in Philadelphia or New York, together with the charge of the transportation to the place which shall be fixed for the delivery, and no more.

“Fifthly: That, in addition to the above sum, to be paid immediately, the United States will also pay, annually, the sum of ten thousand dollars, in goods, to such tribes, and to be delivered at such places as shall be agreed upon.

“\* \* \* \* *You are to understand, explicitly, that the United States cannot relinquish any of the tracts of lands which they have already granted, as marked upon the said map.*

“In respect to all that has been said with regard to relinquishment, you will please to understand that no particular difficulty is intended to be thrown in the way of the relinquishment of any lands west of the Great Miami, and northward of the Ohio, from the intersection thereof by the Great Miami,

except the tract of one hundred and fifty thousand acres granted to General Clark. \* \* \* In case of a successful treaty, the delivery of all prisoners taken from the United States must be strenuously insisted upon. But it will be left to your judgment, whether a particular compensation shall be stipulated, or not, to the individual owners of such prisoners; as it is well known that they are not considered as the common property of the Indian communities. \* \* \* The Reverend John Heckewelder, a Moravian teacher, who resided many years among the Moravian Indians, of the Delawares, will accompany you, in order, also, to use his influence towards a peace. He well understands the Delaware tongue; and, although he is unwilling to act as a common interpreter, yet you may rely upon his ability to correct others, and prevent imposition.

“You will have delivered to you one hundred sets of silver ornaments, which you will present to such influential chiefs as you shall judge proper. It will be necessary that you should endeavor, if consistently with the public interest, to close the treaty on or before the first of August. But, whatever shall be the result of the treaty, you will inform Major General Wayne thereof, on the Ohio, as expeditiously as possible: and, in order that there may be no defect in the transmission of such information, you will send many copies, by different routes, and spare no pains or expense to render the communication perfect. \* \* \* The sum of twenty thousand dollars in specie will be delivered to you for the particular purposes of gratuities, to such influential persons or chiefs, as may in your judgment be necessary. \* \* \* Your route will be hence by the way of New York, Albany, Fort Stanwix, Wood creek, Oswego, and Niagara: thence Governor Simcoe will furnish you with a vessel for the purpose of conveying you to the place of treaty.”

The commissioners left Philadelphia between the 26th and 30th of April, and, proceeding by different routes, arrived at Niagara in the month of May. Colonel Pickering and Mr. Randolph, reached Niagara on the 17th of May,\* and immedi-

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\*General Lincoln having charge of the stores, did not reach Niagara until the 25th of May.

ately sent a note to the British Lieutenant Governor, Simcoe, (who resided at Navy Hall, about a mile from Niagara fort, on the opposite side of the river,) to inform him of their arrival. They received the following answer:

“NAVY HALL, May 17, 1793.

“Lieutenant Governor Simcoe presents his compliments to Mr. Randolph and Mr. Pickering, and desires the pleasure of seeing them at Navy Hall as soon as shall be convenient. The Lieutenant Governor had expected the pleasure of their companies to dinner, but must insist on their taking beds at his house, and of partaking of such accommodations with him, as this settlement can afford.”

The commissioners of the United States complied with the polite request of Governor Simcoe, and took lodgings at Navy Hall, where, (awaiting the termination of preliminary councils which the Indians were holding at the Rapids of the Maumee,) they were hospitably entertained for the space of five or six weeks. On the 7th of June, the following notes passed between the commissioners and Lieutenant Governor Simcoe:—

“The commissioners of the United States for making peace with the western Indians beg leave to suggest to Governor Simcoe: That the very high importance of the negotiation committed to their management, makes them desirous of using every proper means that may contribute to its success. That they have observed with pleasure the disposition manifested by the Governor to afford every requisite assistance in the preparatory arrangements for holding the treaty with the hostile Indians. But, all the facilities thus afforded, and all the expenses incurred by the British government on this occasion, will perhaps be fruitless, unless some means are used to counteract the effect of deep rooted prejudices, and unfounded reports among the Indian tribes: for, the acts of a few bad men dwelling among them, or having a familiar intercourse with them, by cherishing those prejudices, or raising and spreading those reports, may be sufficient to defeat every attempt to accomplish a peace. As an instance of such unfounded reports, the commissioners have noticed the declaration of a Mohawk, from

Grand River, *that Governor Simcoe advised the Indians to make peace, but not to give up any of their lands.* The commissioners further observe that if any transactions at former treaties were exceptionable, the principles of the present treaty are calculated to remove the causes of complaint; for the views of government are perfectly fair. And, although it is now impossible to retrace all the steps then taken, the United States are disposed to recede, as far as shall be indispensable, and the existing state of things will admit; and, for the lands retained, to make ample compensation. The views of the United States being thus fair and liberal, the commissioners wish to embrace every means of making them so appear to the Indians, against any contrary suggestions. Among these means, the commissioners consider the presence of some gentlemen of the army to be of consequence: for, although the Indians naturally look up to their superintendents as their patrons, yet, the presence of some officers of the army will probably induce them to negotiate with greater confidence on the terms of peace. Independently of these considerations, the commissioners, for their own sakes, request the pleasure of their company. The commissioners, feeling the greatest solicitude to accomplish the object of their mission, will be happy to receive from the Governor every information relating to it, which his situation enables him to communicate. He must be aware that the sales and settlements of the lands over the Ohio, founded on the treaties of Forts McIntosh and Harmar, render it impossible now to make that river the boundary. The expression of his opinion, on this point in particular, will give them great satisfaction."

The commissioners received the following answer from Lieutenant Governor Simcoe:

"COLONEL SIMCOE, commanding the King's forces in Upper Canada, has the honor, in answer to the paper delivered to him this morning by the commissioners of the United States for making peace with the Western Indians, to state to those gentlemen, that he is duly impressed with the serious impor-

tance of the negotiation committed to their charge, and shall be happy to contribute by every proper means that may tend to its success. He is much obliged to them for the polite manner in which they have expressed their sense of his readiness to afford them such facilities as may have been in his power, to assist in the preparatory arrangements for holding the treaty. He is perfectly aware that unfounded reports, and deep rooted prejudices, have arisen among the Indian tribes; but whether from the acts of a few bad men living among them, he cannot pretend to say. But, he must observe, upon the instance given by the commissioners, of one of "those unfounded reports, that a Mohawk from the Grand River should say, that Governor Simcoe advised the Indians to make peace, but not to give up their lands," it is of that nature that cannot be true; the Indians, as yet, not having applied for his advice on the subject; and it being a point, of all others, on which they are the least likely to consult the British officers commanding in Upper Canada. Colonel Simcoe considers himself perfectly justified in admitting, on the requisition of the commissioners, some officers to attend the treaty; and, therefore, in addition to the gentlemen appointed to control the delivery of the British provisions, &c. he will desire Captain Bunbury, of the fifth regiment, and Lieutenant Givens, who has some knowledge of one of the Indian languages, to accompany the commissioners. Colonel Simcoe can give the commissioners no further information than what is afforded by the speeches of the confederate nations, of which General Hull has authentic copies. But, as it has been, ever since the conquest of Canada, the principle of the British Government, *to unite the American Indians*, that, all petty jealousies being extinguished, the real wishes of the several tribes may be fully expressed, and in consequence all the treaties made with them, may have the most complete ratification and universal concurrence, so, he feels it proper to state to the commissioners, *that a jealousy of a contrary conduct in the agents of the United States, appears to him to have been deeply impressed upon the minds of the confederacy.*"

The following account of the final attempt to negotiate a peace with the northwestern Indians, in 1793, is extracted from the journal of the commissioners:

“June 29th, 1793.—The commissioners and their suite went to Fort Erie to embark for Sandusky; but the winds being contrary, they returned three or four miles to their lodgings.

“June 30th.—The wind still contrary; nevertheless the commissioners and their suit embarked on board the schooner Dunmore, Captain Henry Ford, commander.

“July 5th.—Still detained by contrary winds at Fort Erie. This day arrived in a vessel from the Maumee, Colonel Butler, a British Superintendent of Indian Affairs, and Captain Brandt, with about fifty Indians, being a deputation from the Indian nations assembled at the Rapids of the Maumee, to confer with the commissioners of the United States, in presence of the Governor of Upper Canada. The deputation being met, gave notice to the commissioners that they desired to speak with them. The commissioners attending, a Shawanese chief, called Cat's Eyes, addressed them thus:—‘Brothers: We are sent by the nations of Indians assembled at the Rapids of the Maumee to meet the commissioners of the United States. We are glad to see you here. It is the will of the chiefs of those nations, that our father, the Governor of this province, should be present, and hear what we have to say to you, and what you have to say to us. Brothers: Do not make yourselves uneasy that we did not meet you at the time you proposed at Sandusky. The reasons thereof will be mentioned at another time.’ To this speech the commissioners replied:—“Brothers: The commissioners are glad to see you. We will confer with you in presence of your father, the Governor of this province, at any time and place which shall be convenient to him and you.” The chiefs having consulted a few minutes by themselves, again asked the attendance of the commissioners, and proposed that the conference should be at the Governor's, at Niagara; to which the commissioners agreed, informing the chiefs that they would be at the Governor's to-morrow night.

"IN COUNCIL, at Navy Hall, July 7, 1793.—Present, commissioners of the United States, Colonel Simcoe, Governor of Upper Canada, and a considerable number of civil and military officers, and the deputation of Indians from the council assembled at the Rapids of the Maumee. Captain Brandt, with a belt and strings of wampum, rose and said, "Brothers: We have met to-day our brothers the Bostonians and English. We are glad to have the meeting, and think it is by the appointment of the Great Spirit. Brothers of the United States: We told you the other day, at Fort Erie, that, at another time, we would inform you why we had not assembled at the time and place appointed for holding the treaty with you. We now inform you that it is because there is so much of the appearance of war in that quarter. Brothers: We have given the reason for our not meeting you; and now we request an explanation of those warlike appearances. Brothers: The people you see here are sent to represent *the Indian nations who own the lands north of the Ohio, as their common property*, and who are all of one mind—one heart. Brothers: We have come to speak to you for two reasons: one, because your warriors being in our neighborhood, have prevented our meeting at the appointed place: the other, *to know if you are properly authorized to run and establish a new boundary line between the lands of the United States, and of the Indian nations*. We are still desirous of meeting you at the appointed place. Brothers: We wish you to deliberate well on this business. We have spoken our sentiments in sincerity, considering ourselves in the presence of the Great Spirit, from whom, in time of danger, we expect assistance."—[A white belt of twelve rows, and thirty strings of wampum, in five bunches, nearly all white.]

The commissioners answered, "Brothers: We have attended to what you have said. We will take it into our serious consideration, and give you an answer to-morrow. We will inform you when we are ready." Captain Brandt replied, "Brothers: We thank you for what you have said. You say you will answer our speech to-morrow. We now cover up the council fire."

“NIAGARA, 8th July, 1793.—In Council. Present, as yesterday. The following was the answer of the commissioners of the United States to the speech delivered yesterday, by Captain Brandt, on behalf of the Western Indians. “Brothers: By the appointment of the Great Spirit we are again met together. We hope He will assist us on both sides to see and to do what is right. It gives us pleasure that this meeting is in the presence of our brothers the English. Brothers: Now listen to our answer in behalf of the United States. Brothers: You have mentioned two objects of your coming to meet us at this place. One, to obtain an explanation of the warlike appearances on the part of the United States on the northwestern side of the Ohio: the other, to learn whether we have authority to run and establish *a new boundary line between your lands and ours*. Brothers: On the first point, we cannot but express our extreme regret, that any reports of warlike appearances, on the part of the United States, should have delayed our meeting at Sandusky. The nature of the case irresistibly forbids all apprehensions of hostile incursions into the Indian country, north of the Ohio, during the treaty at Sandusky. Brothers: We are deputed by the Great Chief and the Great Council of the United States to treat with you of peace; and is it possible that the same Great Chief and his Great Council could order their warriors to make fresh war, while we were sitting round the same fire with you, in order to make peace? Is it possible that our Great Chief and his Council could act so deceitfully towards us, their commissioners, as well as towards you? Brothers: We think it is not possible; but we will quit arguments, and come to facts. Brothers: We assure you, that our Great Chief, General Washington, has strictly forbidden all hostilities against you, until the event of the proposed treaty at Sandusky shall be known. Here is the proclamation of his head warrior, General Wayne, to that effect. But, brothers, our Great Chief is so sincere in his professions for peace, and so desirous of preventing every thing which could obstruct the treaty and prolong the war, that, besides giving the above orders to his head warrior, he has informed the Governors of the

several States, adjoining the Ohio, of the treaty proposed to be held at Sandusky; and desired them to unite their power with his to prevent any hostile attempts against the Indians, north of the Ohio, until the result of the treaty is made known. Those Governors have accordingly issued their orders, strictly forbidding all such hostilities. The proclamations of the Governors of Pennsylvania and Virginia we have here in our hands. Brothers: If, after all these precautions of our Great Chief, any hostilities should be committed north of the Ohio, they must proceed from a few disorderly people, whom no considerations of justice or public good can restrain. But we hope and believe that none such will be found.

“Brothers: After these explanations, we hope you will possess your minds in peace, relying on the good faith of the United States that no injury is to be apprehended by you during the treaty. Brothers: We now come to the second point: Whether we are properly authorized to run and establish *a new boundary line between your lands and ours*. Brothers: We answer explicitly that we have that authority. Where this line should run, will be the great subject of discussion at the treaty between you and us; and we sincerely hope and expect that it may then be fixed to the satisfaction of both parties. Doubtless some concessions must be made on both sides. In all disputes and quarrels, both parties usually take some wrong steps; so that it is only by mutual concessions that a true reconciliation can be effected. Brothers: We wish you to understand us clearly on this head; for we mean that all our proceedings should be made with candor. We therefore repeat and say explicitly that some concessions will be necessary on your part, as well as on ours, in order to establish a just and permanent peace. Brothers: After this great point of the boundary shall be fully considered, at the treaty, we shall know what concessions and stipulations it will be proper to make on the part of the United States; and we trust they will be such as the world will pronounce reasonable and just. Brothers: You have told us that you represent the nations of Indians, who own the lands north of the Ohio, and whose

chiefs are now assembled at the Rapids of the Maumee. Brothers: It would be a satisfaction to us to be informed of the names of those nations, and of the numbers of the chiefs of each so assembled. Brothers: We once more turn our eyes to your representation of the warlike appearances in your country; to give you complete satisfaction on this point, we now assure you that as soon as our councils at this place is ended, we will send a messenger on horseback to the Great Chief of the United States, to desire him to renew and strongly repeat his orders to his head warrior, not only to abstain from all hostilities against you; but to remain quietly at his posts until the event of the treaty shall be known."—[A white belt of seven rows, and twenty-six strings of wampum, nearly all white, annexed.]

This speech having been interpreted in the Oneida, Shawanee, and Chippewa tongues, the Shawanee chief, called Cat's Eyes, addressed the commissioners, thus: "Brothers, the Bostonians, attend: We have heard your words. Our fathers, the English people, have also heard them. We thank God that you have been preserved in peace, and that we bring our pipes together. The people of all the different nations here salute you. They rejoice to hear your words. It gives us great satisfaction that our fathers, the English, have heard them also. We shall, for the present, take up our pipes, and retire to the encampments, where we shall deliberately consider your speech and return you an answer to-morrow."

"NIAGARA, 9th July, 1793.—In Council. Present, as yesterday. Captain Brandt arose, with the belt and strings which were yesterday delivered by the commissioners, and, addressing himself to the English and Americans, said, "We are glad the Great Spirit has preserved us in peace, to meet together this day. Brothers of the United States: Yesterday you made an answer to the message delivered by us, from the great council at the Maumee, in the two particulars which we had stated to you. Brothers: You may depend on it, we fully understood your speech. We shall take with us your belt and white strings, and repeat it to the chiefs at the great council at the Maumee.

—[Laid down the strings and belt, and took up a white belt.] Brothers: We have something further to say, though not much. We are small compared with our great chiefs at Maumee. But though small, we have something to say. Brothers: We think, from your speech, that there is a prospect of our coming together. We, who are the nations at the westward are of one mind; and, if we agree with you, as there is a prospect that we shall, it will be binding and lasting. Brothers: Our prospects are the fairer, because all our minds are one. You have not before spoken to us unitedly. Formerly, because you did not speak to us unitedly, what was done was not binding. Now, you have an opportunity of speaking to us together; and we now take you by the hand, to lead you to the place appointed for the meeting. [A white belt of seven rows.] Brothers: This is all we have to say.”

Afterwards, Captain Brandt, recollecting that he had not answered the enquiry of the commissioners, respecting the nations and chiefs assembled at the Maumee, rose, and said, “Brothers: One thing more we have to say: Yesterday you expressed a wish to be informed of the names of the nations, and numbers of chiefs assembled at the Maumee; but, as they were daily coming in, we cannot give you exact information. You will see for yourselves in a few days. When we left it, the following nations were there, to wit: Five Nations, Wyandots, Shawanees, Delawares, Munsees, Miamies, Chippewas, Ottawas, Pottawattamies, Mingoos, Cherokees, Nantikokies: The principal men of these were there.” He presented the list on paper.

The commissioners then replied: “Brothers: Our ears have been open to your speech. It is agreeable to us. We are ready to accompany you to the place of treaty, where, under the direction of the Great Spirit, we hope for a speedy termination of the present war, on terms equally interesting and agreeable to all parties.”

On the 10th of July, 1793, the commissioners despatched a letter to General Knox, Secretary of War. In this letter they said, “We think the coming of the deputation from the West-

ern Indians, a fortunate event. It must have been their extreme jealousy of the United States that made them solicitous to speak with us in presence of the Governor; and our answer being satisfactory, we believe it will have a better effect, than the same sentiments delivered under any other circumstances. Our promise to send a special messenger to the President, to desire fresh orders might be sent to General Wayne, *not only to abstain from hostilities but to remain quietly at his posts*, was thought a very necessary measure; and it will be alike necessary that those orders should be issued and strictly observed. In a former letter we intimated our opinion and wishes on this point. We now think, and our duty obliges us to declare it, that an exact observation of the laws of a truce is essential to the success of the treaty. The Indians have information, confirmed by repeated scouts, that General Wayne has cut and cleared a road, straight from Fort Washington into the Indian country, in a direction that would have missed Fort Jefferson, but that, meeting with a large swamp, it was, of necessity, turned to that fort, and then continued six miles beyond it: that large quantities of provisions are accumulated at the forts, far exceeding the wants of the garrisons, and numerous herds of horses and cattle, assembled beyond Fort Jefferson, guarded by considerable bodies of troops. With these preparations for war in their neighborhood, (for it is but three days' journey from thence to the Glaise,) they say their minds cannot rest easy. The distance here mentioned, is from Captain Brandt's information, and is, no doubt, exact. We suppose that twenty to twenty-five miles may be deemed a day's journey. The manner in which negotiations for peace are conducted by Indians, demands a particular consideration. On such occasions, not commissioners, or a few counsellors, but the body of the nations assemble. The negotiations will of course be delayed or interrupted, if the movements of their enemies call the warriors from the council to watch or check them. The measures pursued by General Wayne appear to have produced this unhappy effect, and probably strengthened jealousies, before almost insurmountable. We know that those measures are

viewed by the British as unfair, and unwarrantable; and we cannot suppose that their opinion will be concealed from the Indians; if the latter have not previously entertained the same ideas. After this detail, it can hardly be necessary to express our opinions on the subject. It is obvious, that, to ensure a quiet, uninterrupted treaty, the cattle, horses, and troops, beyond what are proper for the posts themselves, should not be advanced from the Ohio: any that are now in advance beyond Fort Jefferson, should certainly be immediately withdrawn; and we doubt whether that would be satisfactory, if their numbers, in any degree, correspond with the reports among the Indians at their council."

The commissioners left Niagara on the 10th of July; and on the 11th they reached Fort Erie, where they were detained by head winds until the 14th, when they set sail for the mouth of Detroit river. They reached that point on the morning of the 21st of July, took lodgings at the residence of Captain Matthew Elliott, and despatched the following note to Colonel Alexander M'Kee, the British superintendent of Indian Affairs at the Rapids of the Maumee river.

"ON DETROIT RIVER, 21st July, 1793.

"Sir: We embrace this opportunity to inform you of our arrival at this place, where we shall wait until we have intelligence that the nations of Indians at the Rapids of the Maumee are ready to move to Sandusky. We shall be greatly obliged by your endeavors to expedite the councils of the Indians, that we may meet them without more delay. You will add to our obligations, by sending us the earliest notice when we may expect the Indians will arrive at Sandusky, that we may be there at the same time. We wrote you on the 30th of May, but having received no answer, are apprehensive that our letter did not reach you.

We are, sir, yours, &c.

BENJAMIN LINCOLN,  
BEVERLEY RANDOLPH,  
TIMOTHY PICKERING."

On the 29th of July, Captain Elliott arrived at his residence near the mouth of the Detroit river, with a deputation of upwards of twenty Indians, among whom was the Delaware chief Buck-ong-a-he-las, from the nations assembled at the foot of the Maumee Rapids. Captain Elliott delivered to the commissioners of the United States the following answer from Colonel McKee:

“FOOT OF THE RAPIDS, 28th July, 1793.

“Gentlemen: I had the honor to receive your letter of the 21st instant. That which you mentioned to have wrote on the 30th of May, has not yet come to hand. As soon as I am enabled to inform you at what time the Indians will meet at Sandusky, I will not fail to give you the earliest notice; and, as far as it depends on me, shall expedite it most cordially.

I am, gentlemen, yours, &c.

ALEXANDER McKEE.”

“IN COUNCIL, AT CAPTAIN ELLIOTT’S, near the mouth }  
of Detroit river, July 30th, 1793. }

“Present, the commissioners of the United States, the deputation of Indians, the British officers, and inhabitants. The deputation addressed the commissioners as follows: a Wyandot chief, called Sa-wagh-da-wunk (whose name signifies Carry one about,) being their speaker: “Brothers: Listen! We are glad to see you here in peace, and thank the Great Spirit that has preserved us to meet again. Brothers: We were sent to speak to you some time ago, at Niagara. Some chiefs are now here, who were then present. Brothers: We did not explain ourselves to each other; and we did not rightly understand each other. Brothers: We desired that we might rightly understand each other. We have thought it best that what we had to say should be put into writing; and here (presenting a paper to the commissioners) is the meaning of our hearts.”

This speech was interpreted by Simon Girty. The commissioners received the paper, and told the Indians that “they would well consider the subject of it, and return an answer in writing. The contents of the paper were as follows:

*“To the Commissioners of the United States.* Brothers: The deputies we sent to you did not fully explain our meaning; we have therefore sent others, to meet you once more, that you may fully understand the great question we have to ask of you, and to which we expect an explicit answer in writing. Brothers: You are sent here by the United States, in order to make peace with us, the confederate Indians. Brothers: You know very well that the boundary line, which was run between the white people and us, at the treaty of Fort Stanwix, was the river Ohio. Brothers: If you seriously design to make a firm and lasting peace, you will immediately remove all your people from our side of that river. Brothers: We therefore ask you, are you fully authorized by the United States to continue, and firmly fix on the Ohio river, as the boundary line between your people and ours? Done in general council at the foot of the Maumee Rapids, 27th July, 1793, in behalf of ourselves, and the whole confederacy, and agreed to in a full council.

WYANDOTS—Bear.

POTTAWATTAMIES—Fish.

DELAWARES—Turtle.

OTTAWAS.

SHAWANEES—Snake.

CONNOYS—Turkey.

MIAMIES.

CHIPPEWAS.

MINGOES—Snipe.

MUNSEES.”

In the afternoon of the succeeding day, the commissioners of the United States delivered to the deputation of Indians, the following answer, in writing:

*“Speech of the Commissioners of the United States to the Deputies of the Confederated Indian nations, assembled at the Rapids of the Maumee river:*

“Brothers: You yesterday addressed us, mentioning a former deputation who met us at Niagara. At that meeting, you said, we did not come to a right understanding; that your deputies did not fully explain your meaning to us, nor we ours to them: that you desired we might rightly understand each other, and therefore thought it best that what you had to say should be put into writing. Then, handing us a paper, you

said, 'here is the meaning of our hearts.' Brothers: That paper is directed to the commissioners of the United States, and speaks to them these words, viz: [Here is repeated the written address of the Indians.]

"Brothers, the deputies present: We have now repeated the words contained in the paper which you delivered to us; and those words are interpreted to you. We presume the interpretation agrees with your idea of the contents of the paper. It is expressed to be signed by the Wyandots, Delawares, Miamies, Shawanees, Mingoes, Pottawattamies, Ottawas, Connoys, Chippewas, and Munsees, in behalf of themselves and the whole confederacy, and agreed to in full council.

"Brothers: We are a little surprised at the suggestion, that, in the conference at Niagara, we did not come to a right understanding, and that your deputies did not fully explain your meaning. Those deputies appeared to be men of good understanding, and when we saw them they were perfectly sober: in short, we never saw men in public council more attentive, or behave with more propriety. We could not, therefore, suppose they could mistake your meaning or ours. Certainly we were sufficiently explicit, for, in plain terms we declared, 'that in order to establish a just and permanent peace, some concessions would be necessary, on your part as well as on ours.' These words, brothers, are a part of our speech to your deputies; and that speech, they assured us they fully understood. What those concessions should be, on both sides, and where the boundary line should be fixed, were proper subjects of discussion, at the treaty, when we should speak face to face. This, we are certain would be the best way to remove all difficulties. But your nations have adopted another mode, which, by keeping us at a distance, prevents our knowing each other, and keeps alive those jealousies which are the greatest obstacles to a peace. We are, therefore, desirous of meeting your nations in full council, without more delay. We have already waited in this province sixty days beyond the time appointed for opening the treaty.

“Brothers: We have now expressed our opinion of the proper mode of settling the differences between you and the United States; but, as your nations have desired answers to certain questions, previous to our meeting, and we are disposed to act with frankness and sincerity, we will give you an explicit answer to the great question you have now proposed to us. But, before we do this, we think it necessary to look back to some former transactions, and we desire you patiently to hear us.

“Brothers: We do know very well, that, at the treaty of Fort Stanwix, *twenty-five years ago*, the river Ohio was agreed on, as the boundary line between you and the white people of the British colonies; and, we all know, that, about seven years after that boundary was fixed, a quarrel broke out between your father, the King of Great Britain, and the people of those colonies, which are now the United States. This quarrel was ended by the treaty of peace, made with the King, about ten years ago, by which the Great Lakes, and the waters which unite them, were, by him, declared to be the boundaries of the United States.

“Brothers: Peace having been thus made, between the King of Great Britain and the United States, it remained to make peace between them and the Indian nations who had taken part with the King: for this purpose, commissioners were appointed, who sent messages to all those Indian nations, *inviting them to come and make peace*. The first treaty was held about nine years ago, at Fort Stanwix, with the Six Nations, which has stood firm and unviolated to this day. The next treaty was made about ninety days after, at Fort McIntosh, with the half king of the Wyandots, Captain Pipe, and other chiefs, in behalf of the Wyandot, Delaware, Ottawa, and Chippewa nations. Afterwards treaties were made with divers Indian nations south of the Ohio river; and the next treaty was made with Ka-kia-pilathy, here present, and other Shawanee chiefs, in behalf of the Shawanee nation, at the mouth of the Great Miami, which runs into the Ohio.

“Brothers: The commissioners who conducted the treaties in behalf of the United States, sent the papers containing them to the Great Council of the States, who, supposing them satisfactory to the nations treated with, proceeded to dispose of large tracts of land thereby ceded, and a great number of people removed from other parts of the United States, and settled upon them: also many families of your ancient fathers, the French, came over the great waters, and settled upon a part of the same lands.\*

“Brothers: After some time, it appeared that a number of people in your nations were dissatisfied with the treaties of Fort McIntosh and Miami: therefore, the Great Council of the United States appointed Governor St. Clair their commissioner, with full powers, for the purpose of removing all causes of controversy, regulating trade, and settling boundaries, between the Indian nations in the northern department and the United States. He accordingly sent messages, inviting all the nations concerned to meet him at a council fire which he kindled at the falls of the Muskingum. While he was waiting for them, some mischief happened at that place, and the fire was put out: so he kindled a council fire at Fort Harmar, where near six hundred Indians of different nations attended. The Six Nations then renewed and confirmed the treaty of Fort Stanwix; and the Wyandots and Delawares renewed and confirmed the treaty of Fort McIntosh: some Ottawas, Chippewas, Pottawattamies, and Sacs, were also parties to the treaty of Fort Harmar.

“Brothers: All these treaties we have here with us. We have also the speeches of many chiefs who attended them, and who voluntarily declared their satisfaction with the terms of the treaties.

“Brothers: After making all these treaties, and after hearing the chiefs express freely their satisfaction with them, the United States expected to enjoy peace, and quietly to hold the lands ceded by them. Accordingly large tracts have been sold and settled, as before mentioned. And, now, brothers, we an-

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\* The French settlement at Gallipolis.

swer explicitly, that, for the reasons here stated to you, *it is impossible to make the river Ohio the boundary between your people and the people of the United States.*

“Brothers: You are men of understanding, and if you consider the customs of white people, the great expenses which attend their settling in a new country, the nature of their improvements, in building houses and barns, and clearing and fencing their lands, how valuable the lands are thus rendered, and thence how dear they are to them, you will see that it is now impracticable to remove our people from the northern side of the Ohio. Your brothers, the English, know the nature of white people, and they know, that, under the circumstances which we have mentioned, the United States cannot make the Ohio the boundary between you and us.

“Brothers: You seem to consider all the lands in dispute on your side of the Ohio, as claimed by the United States; but suffer us to remind you that a large tract was sold by the Wyandot and Delaware nations to the state of Pennsylvania. This tract lies east of a line drawn from the mouth of Beaver creek, at the Ohio, due north to Lake Erie. This line is the western boundary of Pennsylvania, as claimed under the charter given by the King of England to your ancient friend William Penn: of this sale made by the Wyandot and Delaware nations, to the state of Pennsylvania, we have never heard any complaint.

“Brothers: We are, on this occasion, obliged to make a long speech. We again desire you to hear us patiently. The business is of the highest importance, and a great many words are necessary fully to explain it: for we desire you may perfectly understand us; and there is no danger of your forgetting what we say, because we will give you our speech in writing.

“Brothers: We have explicitly declared to you, that we cannot now make the Ohio river the boundary between us. This agrees with our speech to your deputies at Niagara, ‘that in order to establish a just and permanent peace, some concessions would be necessary on your part, as well as on ours.’

“Brothers: The concessions which we think necessary on

your part are, that you yield up, and finally relinquish to the United States, some of the lands on your side of the river Ohio. The United States wish to have confirmed *all the lands ceded to them by the treaty of Fort Harmar; and, also, a small tract of land at the Rapids of the Ohio, claimed by General Clark, for the use of himself and warriors:* and, in consideration thereof, the United States *would give such a large sum, in money or goods, as was never given at one time, for any quantity of Indian lands, since the white people first set their foot on this island.* And because those lands did, every year, furnish you with skins and furs, with which you bought clothing and other necessities, the United States will now furnish the like constant supplies: and, therefore, besides the great sum to be delivered at once, they will every year, deliver you a large quantity of such goods as are best suited to the wants of yourselves, your women, and children.

“Brothers: If all the lands, before mentioned, cannot be delivered up to the United States, then we shall desire to treat and agree with you on a new boundary line; and for the quantity of land you relinquish to us within that new boundary line we shall stipulate a generous compensation, not only for a large sum, to be paid at once, but for a yearly rent, for the benefit of yourselves and your children forever.

“Brothers: Here you see one concession, which we are willing to make on the part of the United States. Now, listen to another, of a claim which probably has more disturbed your minds than any other whatever.

“Brothers: *The commissioners of the United States have formerly set up a claim to your whole country, southward of the Great Lakes, as the property of the United States;* grounding this claim on the treaty of peace with your father, the King of Great Britain, who declared, as we have before mentioned, the middle of those lakes, and the waters which unite them, to be the boundaries of the United States.

“Brothers: We are determined that our whole conduct shall be marked with openness and sincerity. We therefore frankly tell you, that we think those commissioners put an erroneous

construction on that part of our treaty with the King. As he had not purchased the country of you, of course he could not give it away. He only relinquished to the United States his claim to it. That claim was founded on a right acquired by treaty, with other white nations, to exclude them from purchasing, or settling, in any part of your country; and it is this right which the King granted to the United States. Before that grant, the King alone had a right to purchase of the Indian nations, any of the lands between the Great Lakes, the Ohio, and the Mississippi, excepting the part within the charter boundary of Pennsylvania; and the King, by the treaty of peace, having granted this right to the United States, they alone have now the right of purchasing: so that, now, neither the King, nor any of his people, have any right to interfere with the United States, in respect to any part of those lands. All your brothers, the English, know this to be true; and it agrees with the declarations of Lord Dorchester, to your deputies, two years ago at Quebec.

“Brothers: We now concede this great point. We, by the express authority of the President of the United States, acknowledge the property, or right of soil, of the great country above described, to be in the Indian nations, so long as they desire to occupy the same. We only claim particular tracts in it, as before mentioned, and the general right granted by the King, as above stated, and which is well known to the English and Americans, and called the right of pre-emption, or the right of purchasing of the Indian nations disposed to sell their lands, to the exclusion of all other white people whatever.

“Brothers: We have now opened our hearts to you. We are happy in having an opportunity of doing it; though we should have been more happy to have done it in the full council of your nations. We expect soon to have this satisfaction, and that your next deputation will take us by the hand, and lead us to the treaty. When we meet, and converse with each other freely, we may easily remove any difficulties which may come in the way of peace.

“At Captain Elliott’s, at the mouth of Detroit river, 31st July, 1793.

BENJAMIN LINCOLN, } Commissioners  
 BEVERLEY RANDOLPH, } of the  
 TIMOTHY PICKERING, } United States.”

After the foregoing speech had been interpreted, the commissioners gave it, in writing, to the Indian deputation, with a white belt crossed with thirteen stripes of black wampum. The deputation then said, that, as it was too late to make any reply on that day, they would speak to the commissioners on the next morning.

“IN COUNCIL, August 1st, 1793. Present, as yesterday. The Wyandot chief Sa-wagh-da-wunk, [Carry-one-about] arose and spoke. Simon Girty interpreted. “Brothers: We are all brothers you see here now. Brothers: It is now three years since you desired to speak with us. We heard you yesterday, and understood you well—perfectly well. We have a few words to say to you. Brothers: You mentioned the treaties of Fort Stanwix, Beaver creek,\* and other places. Those treaties were not complete. There were but a few chiefs who treated with you. You have not bought our lands. They belong to us. You tried to draw off some of us. Brothers: Many years ago, we all know that the Ohio was made the boundary. It was settled by Sir William Johnston. This side is ours. We look upon it as our property. Brothers: You mentioned General Washington. He and you know you have your houses and your people on our land. You say you cannot move them off: and we cannot give up our land. Brothers: We are sorry we cannot come to an agreement. The line has been fixed long ago. Brothers: We don’t say much. There has been much mischief on both sides. We came here upon peace, and thought you did the same. We shall talk to our head warriors. You may return whence you came, and tell Washington.”

The council here breaking up, Captain Elliott went to the Shawanee chief Ka-kia-pilathy, and told him that the last part

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\* Fort McIntosh.

of the speech was wrong. That chief came back, and said it was wrong. Girty said that he had interpreted truly what the Wyandot chief spoke. An explanation took place; and Girty added, as follows: "Brothers: Instead of going home, we wish you to remain here for an answer from us. We have your speech in our breasts, and shall consult our head warriors." The deputation of Indians were then told that the commissioners would wait to hear again from the council at the Rapids of the Maumee.

On the 16th of August, 1793, Messrs. Lincoln, Randolph, and Pickering, received the following answer (in writing,) to their speech of the 31st of July.

*"To the Commissioners of the United States.* Brothers: We have received your speech, dated the 31st of last month, and it has been interpreted to all the different nations. We have been long in sending you an answer, because of the great importance of the subject. But, we now answer it fully; having given it all the consideration in our power.

"Brothers: You tell us that, after you had made peace with the King, our father, about ten years ago, 'it remained to make peace between the United States and the Indian nations who had taken part with the King. For this purpose, commissioners were appointed, who sent messages to all those Indian nations, inviting them to come and make peace;' and, after reciting the periods at which you say treaties were held, at Fort Stanwix, Fort McIntosh and Miami, all which treaties, according to your own acknowledgment, were for the sole purpose of making peace, you then say, 'Brothers, the commissioners who conducted these treaties, in behalf of the United States, sent the papers containing them to the general council of the States, who supposing them satisfactory to the nations treated with, proceeded to dispose of the lands thereby ceded.'

"Brothers: This is telling us plainly, what we always understood to be the case, and it agrees with the declarations of those few who attended those treaties, viz: *That they went to meet your commissioners to make peace; but, through fear, were obliged to sign any paper that was laid before them; and it has*

*since appeared that deeds of cession were signed by them, instead of treaties of peace.*

“Brothers: You then say, ‘After some time it appears that a number of people in your nations were dissatisfied with the treaties of Fort McIntosh and Miami, therefore the council of the United States appointed Governor St. Clair their commissioner, with full power, for the purpose of removing all causes of controversy, relating to trade, and settling boundaries, between the Indian nations in the northern department, and the United States. He accordingly sent messages, inviting all the nations concerned to meet him at a council fire he kindled at the falls of the Muskingum. While he was waiting for them, some mischief happened at that place, and the fire was put out: so he kindled a council fire at Fort Harmar, where near six hundred Indians of different nations, attended. The Six Nations then renewed and confirmed the treaty of Fort Stanwix; and the Wyandots and Delawares renewed and confirmed the treaty of Fort McIntosh: some Ottawas, Chippewas, Pottawattamies, and Sacs, were also parties to the treaty of Fort Harmar.’ Now, brothers, these are your words; and it is necessary for us to make a short reply to them.

“Brothers: A general council of all the Indian confederacy was held, as you well know, in the fall of the year 1788, at this place; and that general council was invited by your commissioner Governor St. Clair, to meet him for the purpose of holding a treaty, with regard to the lands mentioned by you to have been ceded by the treaties of Fort Stanwix and Fort McIntosh.

“Brothers: We are in possession of the speeches and letters which passed on that occasion, between those deputed by the confederate Indians, and Governor St. Clair, the commissioner of the United States. These papers prove that your said commissioner, in the beginning of the year 1789, after having been informed by the general council, of the preceding fall, that no bargain or sale of any part of these Indian lands would be considered as valid or binding, unless agreed to by a general council, nevertheless persisted in collecting together a few chiefs of

two or three nations only, and with them held a treaty for the cession of an immense country, in which they were no more interested, than as a branch of the general confederacy, and who were in no manner authorized to make any grant or concession whatever.

“Brothers: How then was it possible for you to expect to enjoy peace, and quietly to hold these lands, when your commissioner was informed, long before he held the treaty of Fort Harmar, that the consent of a general council was absolutely necessary to convey any part of these lands to the United States? The part of these lands which the United States now wish us to relinquish, and which you say are settled, have been sold by the United States since that time.

“Brothers: You say, ‘the United States wish to have confirmed all the lands ceded to them by the treaty of Fort Harmar, and also a small tract at the Rapids of the Ohio, claimed by General Clark, for the use of himself and his warriors. And, in consideration thereof, the United States would give such a large sum of money or goods, as was never given, at any one time, for any quantity of Indian lands, since the white people first set their feet on this island. And, because these lands did every year furnish you with skins and furs, with which you bought clothing, and other necessities, the United States will now furnish the like constant supplies. And, therefore, besides the great sum to be delivered at once, they will every year deliver you a large quantity of such goods as are best fitted to the wants of yourselves, your women, and children.’

“Brothers: Money, to us, is of no value; and to most of us unknown: and, as no consideration whatever can induce us to sell the lands on which we get sustenance for our women and children, *we hope we may be allowed to point out a mode by which your settlers may be easily removed, and peace thereby obtained.*

“Brothers: We know that these settlers are poor, or they would never have ventured to live in a country which has been in continual trouble ever since they crossed the Ohio. *Divide, therefore, this large sum of money, which you have offered to us, among these people. Give to each, also, a proportion of what*

*you say you would give to us, annually, over and above this very large sum of money; and, we are persuaded, they would most readily accept of it, in lieu of the lands you sold them.* If you add, also, the great sums you must expend in raising and paying armies, with a view to force us to yield you our country, you will certainly have more than sufficient for the purposes of re-paying these settlers for all their labor and their improvements.

“Brothers: You have talked to us about concessions. It appears strange that you should expect any from us, who have only been defending our just rights against your invasions. We want peace. Restore to us our country, and we shall be enemies no longer.

“Brothers: You make one concession to us by offering us your money; and another by having agreed to do us justice, after having long, and injuriously withheld it: we mean in the acknowledgment you have now made, that the King of England never did, nor ever had a right to give you our country, by the treaty of peace. And you want to make this act of common justice a great part of your concessions; and seem to expect that, because you have at last acknowledged our independence, we should, for such a favor, surrender to you our country.

“Brothers: You have talked, also, a great deal about pre-emption, and your exclusive right to purchase Indian lands, as ceded to you by the King, at the treaty of peace.

“Brothers: We never made any agreement with the King, nor with any other nation, that we would give to either the exclusive right of purchasing our lands: and we declare to you that we consider ourselves free to make any bargain or cession of lands, whenever and to whomsoever we please. If the white people, as you say, made a treaty that none of them but the King should purchase of us, and that he has given that right to the United States, it is an affair which concerns you and him, and not us. We have never parted with such a power.

“Brothers: At our general council held at the Glaize last fall, we agreed to meet commissioners from the United States,

for the purpose of restoring peace, provided they consented to acknowledge and confirm our boundary line to be the Ohio: and we determined not to meet you, until you gave us satisfaction on that point. That is the reason we have never met. We desire you to consider, brothers, that our only demand is the peaceable possession of a small part of our once great country. Look back, and review the lands from whence we have been driven to this spot. We can retreat no farther; because the country behind hardly affords food for its present inhabitants; and we have, therefore, resolved to leave our bones in this small space to which we are now confined.

“Brothers: We shall be persuaded that you mean to do us justice, if you agree that the Ohio shall remain the boundary line between us. If you will not consent thereto, our meeting will be altogether unnecessary. This is the great point which we hoped would have been explained before you left your homes, as our message, last fall, was principally directed to obtain that information.

“Done in general council, at the foot of the Maumee Rapids, the 13th day of August, 1793.

## NATIONS.

WYANDOTS,	MIAMIES,	MOHICANS,
SEVEN NATIONS, of Canada,	OTTAWAS,	CONNOYS,
POTTAWATTAMIES,	MESSASAGUES,	DELAWARES,
SENECAS, of the Glaize,	CHIPPEWAS,	NANTAKOKIES,
SHAWANEEES,	MUNSEES,	CREEKS,
CHEROKEES.”		

The commissioners of the United States immediately sent the following brief answer to the confederate Indians at the Rapids of the Maumee:

“*To the Chiefs and Warriors of the Indian Nations, assembled at the foot of the Maumee Rapids:—*Brothers: We have just received your answer, dated the 13th instant, to our speech of the 31st of last month, which we delivered to your deputies at this place. You say it was interpreted to all your nations; and we presume it was fully understood. We therein explicitly declared to you, *that it was now impossible to make the*

*river Ohio the boundary between your lands and the lands of the United States.* Your answer amounts to a declaration, that you will agree to no other boundary than the Ohio. The negotiation is therefore at an end. We sincerely regret that peace is not the result; but, knowing the upright and liberal views of the United States, which, as far as you gave us an opportunity, we have explained to you, we trust that impartial judges will not attribute the continuance of the war to them.

“Done at Captain Elliott’s, at the mouth of Detroit river, the 16th day of August, 1793.

BENJAMIN LINCOLN,	} Commissioners	
BEVERLEY RANDOLPH,		of the
TIMOTHY PICKERING,		United States.”

On the 17th of August, the commissioners left the mouth of the Detroit river. They arrived at Fort Erie on the 23d, and immediately despatched the following letter to Major General Wayne, at Fort Washington:

“FORT ERIE, 23d August, 1793.

“Sir: We are on our return home from the mouth of Detroit river, where we lay four weeks waiting for the Indians to close their private councils at the Rapids of the Maumee, that we might all remove to Sandusky and open the treaty. But, after sending repeated deputations to us, to obtain answers to particular questions, they finally determined not to treat at all. This final answer was received on the 16th instant; when we immediately began to embark to recross Lake Erie. Although we did not effect a peace, yet we hope that good may hereafter arise from the mission. The tranquillity of the country northwest of the Ohio, during the (supposed) continuance of the treaty, evinced your care of our safety; and we could not leave this quarter without returning you our unfeigned thanks.

We are, sir, yours, &c.

BENJAMIN LINCOLN,  
BEVERLEY RANDOLPH,  
TIMOTHY PICKERING.”

## CHAPTER XVII.

OWING to various causes, which have been sufficiently explained in the preceding chapters, the overtures of peace which were made by the government of the United States to the northwestern Indians were rejected by those tribes. On the 5th of October, 1793, Major General Wayne addressed to the Secretary of War a letter from which the following is an extract:

“HEAD QUARTERS, HOBSON’S CHOICE,  
Near Fort Washington, 5th October, 1793. } ”

“Agreeably to the authority vested in me by your letter of the 17th of May, 1793, I have used every means in my power to bring forward the mounted volunteers from Kentucky, as you will observe by the enclosed correspondence with His Excellency Governor Shelby, and Major General Scott, upon this interesting occasion. I have even adopted their own proposition by ordering a draught of the militia, which I consider as the dernier resort, and from which I must acknowledge that I have but little hopes of success! Add to this, that we have a considerable number of officers and men sick and debilitated, from fevers, and other disorders incident to all armies. But, this is not all: we have recently been visited by a malady called the influenza, which has pervaded the whole line in a most alarming and rapid degree. Fortunately this complaint has not been fatal except in a few instances; and I have now the pleasure of informing you that we are generally recovered, or in a fair way; but our effective force will be much reduced.  
\* \* \* After leaving the necessary garrisons at the several posts, (which will generally be composed of the sick and inva-

lids,) I shall not be able to advance beyond Fort Jefferson with more than twenty-six hundred regular effectives, officers included. What auxiliary force we shall have is yet to be determined: at present their numbers are only thirty-six guides and spies, and three hundred and sixty mounted volunteers. This is not a pleasant picture; but something must be done immediately, to save the frontiers from impending savage fury.

“I will, therefore, advance to-morrow, with the force I have in order to gain a strong position about six miles in front of Fort Jefferson, so as to keep the enemy in check (by exciting a jealousy and apprehension for the safety of their women and children,) until some favorable circumstance or opportunity may present to strike with effect. The present apparent tranquillity on the frontiers, and at the head of the line, is a convincing proof to me, that the enemy are collected or collecting in force, to oppose the Legion, either on its march, or in some unfavorable position for the cavalry to act in. Disappoint them in this favorite plan or manœuvre, they may probably be tempted to attack our lines. In this case I trust they will not have much reason to triumph from the encounter. They cannot continue long embodied for want of provision; and, at their breaking up, they will most certainly make some desperate effort upon some quarter or other. Should the mounted volunteers [from Kentucky] advance in force, we might yet compel those haughty savages to sue for peace before the next opening of the leaves. \* \* \* Knowing the critical situation of our infant nation, and feeling for the honor and reputation of government, (which I will support with my latest breath,) you may rest assured that I will not commit the Legion unnecessarily: and unless more powerfully supported than I at present have reason to expect, I will content myself by taking a strong position advanced of Fort Jefferson, and, by exerting every power, endeavor to protect the frontiers, and to secure the posts and army during the winter, or until I am honored with your further orders.”

In a letter from Major General Wayne to the Secretary of War, dated “Camp, south-west branch of the [Great] Miami,

six miles advanced of Fort Jefferson, October 23d, 1793," the writer said, "I have the honor to inform you, that the Legion took up its line of march from Hobson's Choice, on the 7th instant, and arrived at this place in perfect order, and without a single accident, at ten o'clock in the morning of the 13th, when I found myself arrested for want of provision. Notwithstanding this defect, I do not despair of supporting the troops in our present position, or rather at a place called Still Water, at an intermediate distance between the field of [St. Clair's] battle and Fort Jefferson. \* \* \* The safety of the western frontiers, the reputation of the Legion, the dignity and interest of the nation, all forbid a retrograde manœuvre, or giving up one inch of ground we now possess, until the enemy are compelled to sue for peace. The greatest difficulty which at present presents, is that of furnishing a sufficient escort to secure our convoys of provisions and other supplies from insult and disaster; and, at the same time, to retain a sufficient force in camp to sustain and repel the attacks of the enemy, who appear to be desperate and determined. We have recently experienced a little check to our convoys, which may probably be exaggerated into something serious by the tongue of fame, before this reaches you. The following is, however, the fact, viz: Lieutenant Lowry of the 2d sub-legion and Ensign Boyd of the 1st, with a command consisting of ninety non-commissioned officers and privates, having in charge twenty wagons, belonging to the Quartermaster General's department, loaded with grain, and one of the Contractor's [wagons] loaded with stores, were attacked early in the morning of the 17th instant, about seven miles advanced of Fort St. Clair, by a party of Indians. Those gallant young gentlemen (who promised at a future day to be ornaments to their profession,) together with thirteen non-commissioned officers and privates, bravely fell, after an obstinate resistance against superior numbers, being abandoned by the greater part of the escort upon the first discharge. The savages killed, or carried off, about seventy horses, leaving the wagons and stores standing in the road, which have all been brought to this camp without any other loss or

damage except some trifling articles. One company of light infantry, and one troop of dragoons have been detached this morning to reinforce four other companies of infantry, commanded by Colonel Hamtramck, as an escort to the Quartermaster General's and Contractor's wagons and pack-horses. I have this moment received the return of the mounted volunteers \* [from Kentucky] under General Scott, recently arrived and encamped in the vicinity of Fort Jefferson. I shall immediately order a strong detachment of those volunteers as a further reinforcement to Colonel Hamtramck. I fear the season is too far advanced to derive that essential service, which, otherwise, might be expected from them. Whether they can act with effect or not is yet eventual. It is reported that the Indians at Auglaize have sent their women and children into some secret recess or recesses, from their towns; and that the whole of the warriors are collected or collecting in force. The savages, however, cannot continue long embodied, for want of provisions. On the contrary, we have, by great exertions, secured in this camp seventy thousand rations. I expect one hundred and twenty thousand in addition by the return of the present convoy, unless they meet with a disaster—a thing that can scarcely happen should my orders be duly executed, which I have no cause to doubt, from the character, vigilance, and experience of the commanding officer, [Colonel Hamtramck.] A great number of men, as well as officers, have been left sick and debilitated at the respective garrisons,† from a malady called the influenza. Among others, General Wilkinson has been dangerously ill. He is now at Fort Jefferson, and on the recovery. I hope he will soon be sufficiently restored to take his command in the Legion."

The approach of winter, which was regarded as an unfavorable season for carrying on active hostilities against the Indians, induced General Wayne to dismiss the Kentucky militia, and to place the regular troops in winter quarters. On a tributary of the southwest branch of the Big Miami river he erected

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\* About one thousand men.

† Forts Washington, Hamilton, St. Clair, and Jefferson.

Fort Greenville,\* where he established his head-quarters. On the 23d of December, 1793, he ordered eight companies of infantry, and a detachment of artillery, under the command of Major Henry Burbeck, to take possession of the ground on which St. Clair was defeated in 1791, and to erect a fortification at that place. This order was executed, and the new post was called Fort Recovery.† When this fort was built and garrisoned, General Wayne received, from some of the hostile tribes, a message in which they expressed a desire to make peace with the United States. The terms, however, on which Wayne proposed to enter into pacific negotiations, were either evaded or rejected by the Indians; many of whom were led to believe, early in 1794, that Great Britain would, in the course of that year, assist them in their attempt to force the American settlers to retire from the territory lying on the northwestern side of the Ohio.‡

It is necessary here to refer to the unsettled and critical state of the relations which existed at this period between the United States of America and the governments of Great Britain, France, and Spain. The French nation, which, in 1778, under the government of Louis XVI. had established treaties of commerce and alliance with the United States, was, during the year 1793, convulsed to its centre by the progress of an extraordinary and sanguinary revolution, terribly marked by its anarchy, massacres, cruelty, and impiety. The revolutionists formed a new constitution, abolished royalty, beheaded Louis XVI. and his wife, suppressed religious communities, prohibited the wearing of ecclesiastical costumes, abolished

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\* This fort stood in the vicinity of the site on which the town of Greenville, in Darke County, Ohio, now stands.

† The site on which Fort Recovery was built lies on the bank of one of the head branches of the river Wabash, in the southwestern part of Mercer County, Ohio, about one mile and a quarter east of the eastern boundary of Indiana.

‡ On the 10th of February, 1794, Lord Dorchester, the Governor General of Canada, told a number of Indian chiefs, who were assembled in council at Quebec, "that he should not be surprised if Great Britain and the United States were at war in the course of the year;" and, in April, 1794, three companies of British troops moved from Detroit to the foot of the Rapids of the Maumee, where, acting under the direction of Lieutenant Governor Simcoe, they built and garrisoned a fort on the left bank of the river.

Sundays, instituted what was called the worship of Reason, armed near a million of soldiers,\* and engaged in a war in which they were opposed by the arms of England, Holland, Spain, Portugal, Austria, Prussia, Sardinia, Piedmont, the two Sicilies, and the Roman States.

At this time the government of the United States was pressed with business "equally delicate, difficult and disagreeable."† On the 8th of April, 1793, Mr. Genet, Minister Plenipotentiary of the French Republic, arrived at Charleston, in South Carolina, where he was received with enthusiasm by the Governor of the state and the citizens, who remembered with sentiments of gratitude the essential aid which the people of the United States had received from France during the latter years of the American Revolutionary war. The secret instructions which were given by the Executive Council of France to Mr. Genet, on his departure for the United States, contained the following passage: "As it is possible that the false representations which have been made to Congress of the situation of our internal affairs—of the state of our maritime force—of our finances, and especially of the storms with which we are threatened, may make her ministers, in the negotiations which citizen Genet is instructed to open, adopt a timid and wavering conduct, the Executive Council charges him, *in the expectation that the American Government will finally determine to make a common cause with us*, to take such steps as will appear to him exigencies may require, to serve the cause of liberty and the freedom of the people."‡ Holding the opinion that the government of the United States would finally determine to make a "*common cause*" with France, the French Executive Council had furnished Mr. Genet with blank commissions for privateers, to be delivered "to such French or American owners as should apply for the same;" and he had, also, in his possession, "officers' commissions, in blank, for several grades in the army." Even

\* Letter (dated June 14, 1793,) from the French Minister Genet, to Mr. Jefferson, Secretary of State.

† Jefferson's Correspondence, iii. 248.

‡ Am. State Papers—Foreign Relations, i. 709.—Fitkin's Pol. and Civ. His. ii. 361.

before he reached Philadelphia, the seat of government, the British Minister laid before the President a list of complaints, founded principally on the proceedings of Mr. Genet, who, at Charleston, undertook to authorize the fitting and arming of vessels, enlisting men, and giving commissions to cruize and commit hostilities on nations with whom the United States were at peace.\*

Although the President and his Cabinet wished to see the cause of republicanism triumph in France, they determined, at this crisis, to maintain the neutrality of the United States, however general the war might be in Europe; and on the 22d of April, 1793, twenty-three days before Mr. Genet arrived at the seat of government, Washington issued a proclamation in which it was declared that "the duty and interest of the United States required that they should, with sincerity and good faith, adopt and pursue a conduct friendly and impartial towards the belligerent powers" of Europe; and that "it was the disposition of the United States to observe such conduct towards those powers respectively." The proclamation, also, exhorted and warned the citizens of the United States carefully to avoid all acts and proceedings whatsoever tending to contravene such a disposition; and declared that those citizens of the United States, who might render themselves liable to punishment, under the law of nations, by committing, aiding, or abetting hostilities against any of the belligerent powers, or by carrying to any of them those articles which were deemed contraband, would not receive the protection of the United States.†

Mr. Genet, on the 16th of May, arrived at Philadelphia, where he was received by the administration as the accredited Minister of the French Republic; yet, in defiance of the spirit of the proclamation of neutrality, he continued to distribute military commissions to American citizens, and to authorize not only the enlisting of such citizens, but the arming in American ports, of vessels engaged in the service of France. On the

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\* Am. State Papers—Foreign Relations, i. 150, 706—Pitkin, ii. 367.

† Am. State Papers—Foreign Relations, i. 140.

22d of June, 1793, Mr. Jefferson, Secretary of State, received a communication from Mr. Genet, in which that minister said, "Do not punish the brave individuals of your nation who arrange themselves under our banner, knowing perfectly well, that no law of the United States gives to the government the sad power of arresting their zeal by acts of rigor. The Americans are free: they are not attached to the glebe like the slaves of Russia: they may change their situation when they please."\* Holding and expressing these opinions, disregarding the remonstrances of Washington and his cabinet, and encouraged by the sympathy of a large portion of the people of the United States, Mr. Genet authorized some of his officers in South Carolina and Georgia, to enlist men, and lead an expedition against the Spaniards of Florida; and, about the 2d of October, 1793, he despatched four Frenchmen, (Charles Delpeau, Mathurin, La Chaise, and Gignoux,) from Philadelphia, with a number of blank commissions, and with instructions to proceed to Kentucky, and raise an army of two thousand men, under the authority of the French Republic, for the purpose of invading the Spanish possessions of Louisiana.† General George Rogers Clark accepted a commission from the agents of Genet, agreed to command the proposed expedition against Louisiana, and issued proposals for raising troops. In these proposals, he styled himself "Major General in the armies of France, and commander-in-chief of the French revolutionary legions on the Mississippi;" and called "for volunteers for the reduction of the Spanish forts on the Mississippi, for opening the trade of that river, and giving freedom to its inhabitants." "All persons serving on the expedition, to be entitled to one thousand acres of land; those that engage for one year will be entitled to two thousand; if they serve three years, or during the present war with France, they will have three thousand acres of any unappropriated land that may be conquered; the officers in propor-

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\* Am. State Papers—Foreign Relations, i. 156.

† As early as the month of August, 1793, Genet, having been informed of the state of public opinion in Kentucky on the subject of the navigation of the Mississippi, projected an expedition from that state against the Spaniards of Louisiana.

tion, pay, &c. as other French troops; all lawful plunder to be equally divided according to the custom of war; those who serve the expedition will have their choice of receiving their lands, or one dollar per day." \*

The extraordinary pretensions and the unwarrantable acts of Mr. Genet, and the many complaints and remonstrances, which, in consequence of his proceedings, were laid before the government of the United States by the minister of Great Britain and the commissioners of Spain, who then resided at Philadelphia, finally induced Washington to request the Republic of France to recall its minister. On the 16th of August, 1793, Mr. Jefferson, Secretary of State, despatched to Gouverneur Morris, American minister at Paris, a letter containing an account of the conduct of Mr. Genet, with instructions to lay the same before the French government. In this letter Mr. Jefferson said, "When the government forbids their citizens to arm and engage in the war, he [Genet] undertakes to arm and engage them. When they forbid vessels to be fitted in their ports for cruising on nations with whom they are at peace, he commissions them to fit and cruise. When they forbid an uncaded jurisdiction to be exercised within their territory by foreign agents, he undertakes to uphold that exercise, and to avow it openly. \* \* \* That friendship, which dictates to us to bear with his conduct yet awhile, lest the interests of his nation here should suffer injury, will hasten them to replace an agent whose dispositions are such a misrepresentation of theirs, and whose continuance here is inconsistent with order, peace, respect, and that friendly correspondence which we hope will ever subsist between the two nations. His government will see, too, that the case is pressing. That it is impossible for two sovereign and independent authorities to be going on within our territory, at the same time, without collision. They will foresee that if Mr. Genet perseveres in his proceedings, the consequences would be so hazardous to us, the example so humiliating and pernicious, that we may be forced even

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\* H. Marshall's *His. Kentucky*, ii. 100, 102, 103.—Pitkin, ii. 381.—Butler's *His. Kentucky*, 224,—*Am. State Papers, Foreign Relations*, i. 454 to 460.

to suspend his functions before a successor can arrive to continue them. If our citizens have not already been shedding each other's blood, it is not owing to the moderation of Mr. Genet, but to the forbearance of the government." \*

A copy of this letter from the Secretary of State to Gouverneur Morris, was sent to Mr. Genet, who, on the 18th of September, 1793, wrote to Mr. Jefferson a letter which contained the following remarkable expressions: "It is in the name of the French people, that I am sent to their brethren—to free and sovereign men. It is then for the representatives of the American people, *and not for a single man*, to exhibit against me an act of accusation, if I have merited it. A despot may singly permit himself to demand from another despot the recall of his representative, and to order his expulsion in case of refusal. This is what the Empress of Russia did with respect to myself, from Louis XVI. But in a free state it cannot be so, unless order be entirely subverted; unless the people, in a moment of blindness, choose to rivet their fetters, in making to a single individual the abandonment of their most precious rights. \* \* \* You are made to reproach me with having indiscreetly given to my official proceedings a tone of color, which has induced a belief, that they did not know, in France, either my character or my manners. I will tell you the reason, sir: it is that a pure and warm blood runs with rapidity in my veins; that I love passionately my country; that I adore the cause of liberty; that I am always ready to sacrifice my life to it; that to me, it appears inconceivable, that all the enemies of tyranny, that all virtuous men, do not march with us to the combat; and that, when I find an injustice is done to my fellow citizens, that their interests are not espoused with the zeal which they merit, no consideration in the world would hinder either my pen or my tongue from tracing, from expressing my pain. I will tell you then without ceremony, that I have been extremely wounded, sir: 1st, That the President of the United States was in a hurry, before knowing what I had to transmit

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\* Am. State Papers—Foreign Relations, i. 170.

to him, on the part of the French Republic, to proclaim sentiments, on which decency and friendship should at least have drawn a veil. 2d, That he did not speak to me at my first audience, but of the friendship of the United States towards France, without saying a word to me, without announcing a single sentiment, on our Revolution; while all the towns from Charleston to Philadelphia, had made the air resound with their most ardent wishes for the French Republic. 3d, That he had received and admitted to a private audience, before my arrival, Noailles and Talon, known agents of the French counter-revolutionists, who have since had intimate relations with two members of the Federal Government. 4th, That this first Magistrate of a free people, decorated his parlor with certain medallions of Capet\* and his family, which served at Paris as signals of rallying. 5th, That the first complaints which were made to my predecessor on the armaments and prizes which took place at Charleston on my arrival, were, in fact, but a paraphrase of the notes of the English minister. 6th, That the Secretary of War,† to whom I communicated the wish of our governments of the Windward Islands, to receive promptly some fire-arms and some cannon, which might put into a state of defence possessions guarantied by the United States, had the front to answer with an ironical carelessness, that the principles established by the President, did not permit him to lend us so much as a pistol. 7th, That the Secretary of the Treasury,‡ with whom I had a conversation on the proposition which I made to convert almost the whole American debt, by means of an operation of finance authorized by law, into flour, rice, grain, salted provisions, and other objects of which France had the most pressing need, added to the refusal which he had already made officially of favoring this arrangement, the positive declaration, that, even if it were practicable, the United States could not consent to it, because England would not fail to consider this extraordinary reimbursement furnished to a nation

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\* Louis XVI.

† General Henry Knox.

‡ Alexander Hamilton.

with which she is at war, as an act of hostility. 8th, That, by instructions from the President of the United States, the American citizens who ranged themselves under the banners of France, have been prosecuted and arrested; a crime against liberty unheard of, of which a virtuous and popular jury avenged with eclat the defenders of the best of causes. 9th, That incompetent tribunals were suffered to take cognizance of facts relative to prizes which treaties interdict them expressly from doing: that, on their acknowledgment of their incompetency, this property, acquired by the right of war, was taken from us, that it was thought ill of, that our consuls protested against these arbitrary acts, and that, as a reward for his devotion to his duty, the one at Boston was imprisoned as a malefactor. 10th, That the President of the United States took on himself to give to our treaties arbitrary interpretations, absolutely contrary to their true sense, and that, by a series of decisions which they would have us receive as laws, he left no other indemnification to France for the blood she spilt, for the treasure she dissipated in fighting for the independence of the United States, but the illusory advantage of bringing into their ports the prizes made on their enemies, without being able to sell them. 11th, That no answer is yet given to the notification of the decree of the National Convention for opening our ports in the two worlds to the American citizens, and granting the same favors to them as to the French citizens — advantages which will cease if there be a continuance to treat us with the same injustice. 12th, That he [Washington] has deferred, in spite of my respectful insinuations, to convoke Congress immediately, in order to take the true sentiments of the people, to fix the political system of the United States, and to decide whether they will break, suspend, or tighten their bands with France — an honest measure, which would have avoided to the General Government much contradiction and subterfuge, to me much pain and disgust, to the local governments, embarrassments so much the greater, as they found themselves placed between treaties, which are laws, and decisions of the Federal Government, which are not: in fine, to the tribunals, duties so

much the more painful to fulfil, as they have been often under the necessity of giving judgments contrary to the intentions of the government. It results from all these facts, sir, that I could not but be profoundly affected with the conduct of the Federal Government towards my country.” \*

By letters of the 9th of November, 1793, President Washington requested Isaac Shelby, Governor of Kentucky, and Arthur St. Clair, Governor of the Territory of the United States northwest of the river Ohio, to “take all the measures in the course of the law,” and, “if necessary, to use effectual military force” for the prevention of any hostile enterprise against the possessions of Spain on the Mississippi. Governor St. Clair immediately published a proclamation in his territory informing the citizens of the contemplated invasion, and warning them of the dangerous consequences of participating in it. The Governor of Kentucky, on the 13th of January, 1794, wrote to Mr. Jefferson, Secretary of State of the United States, a letter which contained the following passage: “I have great doubts, even if they [the agents and officers of Genet] do attempt to carry their plan into execution, (provided they manage their business with prudence,) whether there is any legal authority to restrain or punish them, at least before they have actually accomplished it: for, if it is lawful for any one citizen of this state to leave it, it is equally so for any number of them to do it. It is also lawful for them to carry with them any quantity of provisions, arms, and ammunition; and, if the act is lawful in itself, there is nothing but the particular intention with which it is done that can possibly make it unlawful; but I know of no law which inflicts a punishment on intention, only, or a criterion by which to decide what would be sufficient evidence of that intention, if it was a proper subject of legal censure. I shall, upon all occasions, be averse to the exercise of any power which I do not consider myself as being clearly and explicitly invested with; much less would I assume a power to exercise it against men who I consider as friends

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\* Am. State Papers—Foreign Relations, i. 172.

and brethren, in favor of a man whom I view as an enemy and a tyrant. I shall also feel but little inclination to take an active part in punishing or restraining any of my fellow citizens for a supposed intention, only to gratify or remove the fears of the minister to a prince, who openly withholds from us an invaluable right, and who secretly instigates against us a most savage and cruel enemy. But, whatever may be my private opinion as a man, as a friend to liberty, an American citizen, and an inhabitant of the western waters, I shall, at all times, hold it as my duty to perform whatever may be constitutionally required of me, as Governor of Kentucky, by the President of the United States.”\*

In the state of Kentucky, the friends of the Republic of France continued their efforts to raise an army for the invasion of Louisiana. They enlisted men, purchased boats, provisions, arms, and ammunition, and fixed the place of rendezvous at the falls of the river Ohio, from which point they expected to move, with two thousand men, on the 15th of April, 1794. At this time, while the foreign and domestic affairs of the American government were in a critical condition, the fact that the sympathy of a very large portion of the people of the United States was strongly enlisted in the cause of France, did not escape the jealous vigilance of the governments of Great Britain and Spain. Hence, at Quebec, on the 10th of February, 1794, Lord Dorchester told a number of Indian chiefs “that he should not be surprised if Great Britain and the United States were at war in the course of the year.” Soon after this declaration was made Lieutenant Governor Simcoe was ordered to establish a British military post at the foot of the Rapids of the river Maumee, in the heart of the Indian country; and, early in the spring of 1794, a messenger from the Spaniards west of the Mississippi, arrived among the Indians, who were assembled at the Rapids of the Maumee. This messenger was “charged with a war speech, offering assistance from the Spanish settlements about the Mississippi.”†

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\* Am. State Papers—Foreign Relations, i. 456.

† Stone's Life of Brant, ii. 375.

In the month of February, 1794, Mr. Fauchet arrived in the United States, and was received as the accredited minister of the French Republic, in the place of Mr. Genet. The new minister condemned the conduct of his predecessor, and, for a brief period of time "used all the means in his power to prevent [French] armaments in the United States." \*

On the 24th of March, 1794, President Washington published the following proclamation:—"Whereas I have received information that certain persons, in violation of the laws, have presumed, under color of a foreign authority, to enlist citizens of the United States and others, within the state of Kentucky, and have there assembled an armed force, for the purpose of invading and plundering the territories of a nation at peace with the United States: And, whereas, such unwarrantable measures, being contrary to the laws of nations, and to the duties incumbent on every citizen of the United States, tend to disturb the tranquillity of the same, and to involve them in the calamities of war: And, whereas, it is the duty of the Executive to take care that such criminal proceedings should be suppressed, the offenders brought to justice, and all good citizens cautioned against measures likely to prove so pernicious to their country and themselves, should they be seduced into similar infractions of the laws. I have, therefore, thought proper to issue this proclamation, hereby solemnly warning every person not authorized by the laws, against enlisting any citizen or citizens of the United States, or levying troops, or assembling any persons within the United States for the purposes aforesaid, or proceeding in any manner to the execution thereof, as they will answer the same at their peril: And I do, also, admonish and require all citizens to refrain from enlisting, enrolling, or assembling themselves for such unlawful purposes; and from being in any way concerned, aiding, or abetting therein, as they tender their own welfare; inasmuch as all lawful means will be strictly put in execution for securing obedience to the laws, and for punishing such daring and danger-

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\* Am. State Papers—Foreign Relations, i. 588.

ous violations. And I do, moreover, charge and require all courts, magistrates, and other officers whom it may concern, according to their respective duties, to exert the powers in them severally vested, to prevent and suppress all such unlawful assemblages and proceedings, and to bring to condign punishment those who may have been guilty thereof, as they regard the due authority of government, and the peace and welfare of the United States. In testimony whereof I have caused the seal of the United States of America to be affixed to these presents, and signed the same with my hand. Done at Philadelphia, the 24th day of March, 1794, and of the independence of the United States of America, the eighteenth.

Go. WASHINGTON."

On the 31st of March, seven days after the publication of the foregoing proclamation, Washington despatched orders and instructions to General Wayne, requiring that officer to send a "detachment to take post at Fort Massac;\* and to erect a strong redoubt and blockhouse, with some suitable cannon from Fort Washington." In obedience to this requisition, General Wayne ordered Major Thomas Doyle, with a small detachment consisting of infantry and artillery, to move from Fort Washington down the river Ohio, and fortify the site of old Fort Massac. Major Doyle was furnished with the following instructions, which were marked "secret and confidential."—"It has not been unknown to you, that a number of lawless people, residing on the waters of the Ohio, in defiance of the national authority, have entertained the daring design of invading the territories of Spain. The atrocity of this measure, and its probable effects, are pointed out in the proclamation of the President of the United States, herewith delivered to you. If this design should be persisted in, or hereafter revived, and any such parties should make their appearance in the neighborhood of your garrison, and you should be well in-

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\* Fort Massac, or "the old Cherokee fort," stood on the northern bank of the Ohio, about eight miles below the mouth of the Tennessee river. It is said that the name of this place had its origin in the massacre of a small number of Frenchmen who made an attempt in the early part of the 18th century, to establish a trading post at this point.

formed that they are armed and equipped for war, and entertain the criminal intention described in the President's proclamation, you are to send to them some person in whose veracity you could confide, and if such person should be a peace officer he would be the most proper messenger, and warn them of their evil proceedings, and forbid their attempting to pass the fort at their peril. But if, notwithstanding every peaceable effort to persuade them to abandon their criminal design, they should still persist in their attempts to pass down the Ohio, you are to use every military means in your power for preventing them, and for which this shall be your sufficient justification, provided you have taken all the pacific steps before directed."

The discouraging conduct of the new French minister, the proclamation of the President, the passage, by Congress, of a law "providing for the punishment of certain crimes against the United States,"\* and the erection of a military post at Fort Massac, finally forced the friends of the French Republic to abandon, reluctantly, an expedition which was planned and almost prepared, "for the reduction of the Spanish forts on the Mississippi, for opening the trade of that river, and giving freedom to its inhabitants."

On the morning of the 30th day of June, 1794, an escort consisting of ninety riflemen and fifty dragoons, commanded by Major McMahon, was attacked by "a numerous body of Indians, under the walls of Fort Recovery."† The Indians, who were probably assisted by a small number of British agents and French Canadian volunteers, made several attacks on the fort within the space of about twenty-four hours, when they retired. In these attacks the Americans lost twenty-two men killed, thirty wounded, and three missing. They also lost two hundred and twenty-one horses, killed, wounded and missing. Among the officers killed, were Major McMahon, Captain

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\* Laws of the United States, ii. 425.

† Am. State Papers—Indian Affairs, i. 437.—The number of Indians who were engaged in this attack on Fort Recovery, has been variously estimated at from seven hundred to fifteen hundred men.

Hartshorne, Lieutenant Craig, and Cornet Torry. Captain Alexander Gibson, (who was the commandant at Fort Recovery,) Captain Taylor, of the dragoons, and Lieutenant Drake, of the infantry, were distinguished for their gallant conduct. The Indians left eight or ten warriors dead on the field; although "they were employed during the night, which was dark and foggy, in carrying off their dead [and wounded] by torch light." \*

On the 26th of July, 1794, Major General Scott, with about sixteen hundred mounted volunteers from Kentucky, arrived at Fort Greenville, and joined the regular troops under the command of Wayne; and, on the 28th of July the united forces commenced their march for the Indian towns on the Maumee river. On the banks of St. Mary's river, at a point about twenty-four miles northward of Fort Recovery, Wayne erected and garrisoned a small post which he named Fort Adams. The army moved from this position on the 4th of August, and arrived, on the 8th of the same month, at the confluence of the Maumee and Auglaize rivers. In a letter, dated at this place on the 14th of August, 1794, and addressed to the Secretary of War, General Wayne said, "I have the honor to inform you that the army under my command took possession of this very important post on the morning of the 8th instant—the enemy on the preceding evening, having abandoned all their settlements, towns, and villages, with such apparent marks of surprise and precipitation, as to amount to a positive proof that our approach was not discovered by them, until the arrival of a Mr. Newman, of the Quartermaster General's Department, who deserted from the army near the St. Mary's. \* \* \* I had made such demonstrations, for a length of time previously to taking up our line of march, as to induce the savages to expect our advance by the route of the Miami villages, to the left, or towards Roche de Bout, by the right; which feints appear to have produced the desired effect, by drawing the attention of the enemy to those points, and gave an opening for the army

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\* Letter from Wayne to the Secretary of War, dated "Greenville, 7th July, 1794."

to approach undiscovered by a devious, *i. e.* in a central direction. Thus, sir, we have gained possession of the grand emporium of the hostile Indians of the west, without loss of blood. The very extensive and highly cultivated fields and gardens, show the work of many hands. The margin of those beautiful rivers, the Miamies of the Lake [or Maumee] and Auglaize, appear like one continued village for a number of miles, both above and below this place; nor have I ever before beheld such immense fields of corn, in any part of America, from Canada to Florida. We are now employed in completing a strong stockade fort, with four good block houses, by way of bastions, at the confluence of Auglaize and the [Maumee,] which I have called Defiance. \* \* \* Every thing is now prepared for a forward move to-morrow morning, towards Roche de Bout, or foot of the Rapids. \* \* \* Yet I have thought proper to offer the enemy a last overture of peace; and as they have every thing that is dear and interesting now at stake, I have reason to expect that they will listen to the proposition mentioned in the enclosed copy of an address,\* despatched yesterday by a special flag [Christopher Miller,] who I sent under circumstances that will ensure his safe return, and which may eventually spare the effusion of much human blood. But should war be their choice, that blood be upon their own heads. America shall no longer be insulted with impunity.

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\* This letter was addressed "To the Delawares, Shawanese, Miamies, and Wyaudots, and to each and every of them; and to all other nations of Indians, northwest of the Ohio, whom it may concern." It contained the following passage:—"BROTHERS: Be no longer deceived or led astray by the false promises and language of the bad white men at the foot of the Rapids; they have neither the power nor inclination to protect you. No longer shut your eyes to your true interest and happiness, nor your ears to this last overture of peace. But, in pity to your innocent women and children, come and prevent the further effusion of your blood; let them experience the kindness and friendship of the United States of America, and the invaluable blessings of peace and tranquillity." The letter, also, invited "each and every hostile tribe of Indians to appoint deputies" to meet Wayne, without delay, between the mouth of Auglaize and the foot of the Rapids of the Maumee, "in order to settle the preliminaries of a lasting peace." Miller, the bearer of the letter, left Fort Defiance at four o'clock, P. M. on the 13th of August: on the 16th, he brought an answer from some of the hostile Indians to General Wayne, in which they said "that if he waited where he was ten days, and then sent Miller for them, they would treat with him; but that if he advanced they would give him battle."

To an all-powerful and just God I therefore commit myself and gallant army."

General Wayne moved with his forces from Fort Defiance, on the 15th of August, 1794, and directed his march towards the British fort at the foot of the Rapids of the river Maumee. On the 20th of August he gained a decisive victory over the army of the Indians. The battle was fought on the left bank of the Maumee, almost within the reach of the guns of the British fort. The following account of this engagement was transmitted, by General Wayne, to the Secretary of War.

"HEAD QUARTERS, [Fort Defiance,] }  
Grand Glaize, 28th August, 1794. }

"Sir: It is with infinite pleasure that I now announce to you the brilliant success of the Federal army under my command, in a general action with the combined force of the hostile Indians, and a considerable number of the volunteers and militia of Detroit, on the 20th instant, on the banks of the Maumee, in the vicinity of the British post and garrison, at the foot of the Rapids. The army advanced from this place [Fort Defiance] on the 15th, and arrived at Roche de Bout on the 18th: the 19th was employed in making a temporary post\* for the reception of our stores and baggage, and in reconnoitering the position of the enemy, who were encamped behind a thick brushy wood and the British fort.

"At eight o'clock on the morning of the 20th, the army again advanced in columns, agreeably to the standing order of march; the Legion on the right, its flank covered by the Maumee; one brigade of mounted volunteers on the left, under Brigadier General Todd, and the other in the rear under Brigadier General Barbee. A select battalion of mounted volunteers moved in front of the Legion, commanded by Major Price, who was directed to keep sufficiently advanced, so as to give timely notice for the troops to form in case of action, it being yet undetermined whether the Indians would decide for peace or war.

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\* This post, which was called "Fort Deposit," was about seven miles from the British fort at the foot of the Rapids.

“After advancing about five miles Major Price’s corps received so severe a fire from the enemy, who were secreted in the woods and high grass, as to compel them to retreat. The Legion was immediately formed in two lines, principally in a close thick wood, which extended for miles on our left, and for a very considerable distance in front; the ground being covered with old fallen timber, probably occasioned by a tornado, which rendered it impracticable for the cavalry to act with effect, and afforded the enemy the most favorable covert for their mode of warfare. The savages were formed in three lines, within supporting distance of each other, and extending for near two miles, at right angles with the river. I soon discovered, from the weight of the fire and extent of their lines, that the enemy were in full force in front, in possession of their favorite ground, and endeavoring to turn our left flank. I therefore gave orders for the second line to advance and support the first; and directed Major General Scott to gain and turn the right flank of the savages, with the whole of the mounted volunteers, by a circuitous route; at the same time I ordered the front line to advance and charge with trailed arms, and rouse the Indians from their coverts at the point of the bayonet, and when up, to deliver a close and well directed fire on their backs, followed by a brisk charge, so as not to give them time to load again.

“I also ordered Captain Mis Campbell, who commanded the legionary cavalry, to turn the left flank of the enemy next the river, and which afforded a favorable field for that corps to act in. All these orders were obeyed with spirit and promptitude; but such was the impetuosity of the charge by the first line of infantry, that the Indians and Canadian militia and volunteers, were drove from all their coverts in so short a time, that, although every possible exertion was used by the officers of the second line of the Legion, and by Generals Scott, Todd, and Barbee, of the mounted volunteers, to gain their proper positions, but part of each could get up in season to participate in the action; the enemy being drove, in the course of one hour, more than two miles, through the thick woods already men-

tioned, by less than one half their numbers. From every account the enemy amounted to two thousand combatants. The troops actually engaged against them were short of nine hundred.\* This horde of savages, with their allies, abandoned themselves to flight, and dispersed with terror and dismay, leaving our victorious army in full and quiet possession of the field of battle, which terminated under the influence of the guns of the British garrison, as you will observe by the enclosed correspondence between Major Campbell, the commandant, and myself, upon the occasion.

“The bravery and conduct of every officer belonging to the army, from the Generals down to the Ensigns, merit my highest approbation. There were, however, some, whose rank and situation placed their conduct in a very conspicuous point of view, and which I observed with pleasure, and the most lively gratitude. Among whom, I must beg leave to mention Brigadier General Wilkinson, and Colonel Hamtramck, the commandants of the right and left wings of the Legion, whose brave example inspired the troops. To those I must add the names of my faithful and gallant aids-de-camp, Captains De Butt and T. Lewis, and Lieutenant Harrison, who with the Adjutant General, Major Mills, rendered the most essential service by communicating my orders in every direction, and by their conduct and bravery exciting the troops to press for victory. Lieutenant Covington, upon whom the command of the cavalry now devolved, cut down two savages with his own hand, and Lieutenant Webb one, in turning the enemy’s left flank. The wounds received by Captains Slough and Prior, and Lieutenant Campbell Smith, an extra aid-de-camp to General Wilkinson, of the legionary infantry, and Captain Van Rensselaer, of the dragoons, Captain Rawlins, Lieutenant

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\* The exact number of Indians engaged in this action, against Wayne’s army, has never been ascertained. There were, however, about 450 Delawares, 175 Miamies, 275 Shawanees, 225 Ottawas, 275 Wyandots, and a small number of Senecas, Pottawattamies, and Chippewas. The number of white men who fought in defence of the Indians in this engagement, was about seventy, including a corps of volunteers from Detroit, under the command of Captain Caldwell.

McKenny, and Ensign Duncan, of the mounted volunteers, bear honorable testimony of their bravery and conduct.

"Captains H. Lewis and Brock, with their companies of light infantry, had to sustain an unequal fire for some time, which they supported with fortitude. In fact, every officer and soldier, who had an opportunity to come into action, displayed that true bravery which will always ensure success. And here permit me to declare, that I never discovered more true spirit and anxiety for action, than appeared to pervade the whole of the mounted volunteers; and I am well persuaded that, had the enemy maintained their favorite ground for one half hour longer, they would have most severely felt the prowess of that corps. But, whilst I pay this tribute to the living, I must not neglect the gallant dead, among whom we have to lament the early death of those worthy and brave officers, Captain Mis Campbell, of the dragoons, and Lieutenant Towles, of the light infantry, of the Legion, who fell in the first charge.

"Enclosed is a particular return of the killed and wounded.\* The loss of the enemy was more than double to that of the Federal army. The woods were strewed for a considerable distance with the dead bodies of Indians,† and their white auxiliaries, the latter armed with British muskets and bayonets.

"We remained three days and nights on the banks of the Maumee, in front of the field of battle, during which time all the houses and cornfields were consumed and destroyed for a considerable distance both above and below Fort Miami, as well as within pistol shot of the garrison, who were compelled to remain tacit spectators to this general devastation and conflagration, among which were the houses, stores, and property of Colonel McKee, the British Indian Agent, and principal stimulator of the war now existing between the United States and the savages.

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\* According to this return, the regular troops lost twenty-six killed, and eighty-seven wounded. The loss of the Kentucky volunteers was seven killed, and thirteen wounded. Nine regulars and two volunteers died of their wounds, before the 23th of August, 1794.

† A "Daily Journal of Wayne's Campaign," says, "the enemy giving way in all quarters \* \* \* left us in possession of their dead to the number of forty."—[Am. Pion. i. 318.

“The army returned to this place [Fort Defiance] on the 27th, by easy marches, laying waste the villages and cornfields for about fifty miles on each side of the Maumee. There remains yet a great number of villages, and a great quantity of corn, to be consumed or destroyed, upon Auglaize and the Maumee above this place, which will be effected in the course of a few days. In the interim, we shall improve Fort Defiance, and, as soon as the escort returns with the necessary supplies from Greenville and Fort Recovery, the army will proceed to the Miami villages, in order to accomplish the object of the campaign. It is, however, not improbable that the enemy may make one desperate effort against the army; as it is said that a reinforcement was hourly expected at Fort Miami\* from Niagara, as well as numerous tribes of Indians living on the margin and islands of the lakes. This is a business rather to be wished for than dreaded, whilst the army remains in force. Their numbers will only tend to confuse the savages, and the victory will be the more complete and decisive, and which may eventually ensure a permanent and happy peace.

Under these impressions, I have the honor to be your most obedient and very humble servant,

ANTHONY WAYNE.

· The Hon. Major General H. KNOX, Secretary of War.”

Immediately after the action of the 20th of August, the American troops continued their march down the northwestern banks of the Maumee, and encamped within view of the British fort.† While the American army occupied this position, (from the afternoon of the 20th to the forenoon of the 23d,) five lettres passed between General Wayne and Major Campbell, the commandant of Fort Miami. Copies of these letters here follow :

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\* At the time of the action of the 20th of August, the garrison of this fort consisted of about 250 regulars and 200 militia. There were “four nine-pounders, two large howitzers and six six-pounders mounted in the fort, and two swivels.”—[Am. State Papers.

† This fort, which was called “Fort Miami” [or Maumee] stood on the northwestern bank of the river Maumee, at or near the site on which Maumee city, (in Lucas County, Ohio,) now stands.

## [ NUMBER I. ]

“MIAMI [MAUMEE] RIVER, August 21, 1794.

“Sir: An army of the United States of America, said to be under your command, having taken post on the banks of the Miami [Maumee] for upwards of the last twenty-four hours, almost within the reach of the guns of this fort, being a post belonging to His Majesty the King of Great Britain, occupied by His Majesty’s troops, and which I have the honor to command, it becomes my duty to inform myself, as speedily as possible, in what light I am to view your making such near approaches to this garrison. I have no hesitation, on my part, to say, that I know of no war existing between Great Britain and America.

I have the honor to be, sir, with great respect, your most obedient and very humble servant,

WILLIAM CAMPBELL, Major 24th Regiment,

Commanding a British post on the banks of the Miami.

To Major General WAYNE, &c.”

## [ NUMBER II. ]

“CAMP ON THE BANK OF THE MIAMI, [MAUMEE,] }  
August 21, 1794. }

“Sir: I have received your letter of this date, requiring from me the motives which have moved the army under my command to the position they at present occupy, far within the acknowledged jurisdiction of the United States of America. Without questioning the authority or the propriety, sir, of your interrogatory, I think I may, without breach of decorum, observe to you, that, were you entitled to an answer, the most full and satisfactory one was announced to you from the muzzles of my small arms, yesterday morning, in the action against the horde of savages in the vicinity of your post, which terminated gloriously to the American arms; but, had it continued until the Indians, &c. were driven under the influence of the post and guns you mention, they would not have much impeded the progress of the victorious army under my command, as no

such post was established at the commencement of the present war between the Indians and the United States.

I have the honor to be, sir, with great respect, your most obedient and very humble servant,

ANTHONY WAYNE, Major General,

And Commander-in-chief of the Federal Army.

To Major WILLIAM CAMPBELL, &c."

[ NUMBER III. ]

"FORT MIAMI, August 22d, 1794.

"Sir: Although your letter of yesterday's date fully authorizes me to any act of hostility against the army of the United States of America in this neighborhood, under your command, yet, still anxious to prevent that dreadful decision, which, perhaps, is not intended to be appealed to by either of our countries, I have forborne, for those two days past, to resent those insults you have offered to the British flag flying at this fort, by approaching it within pistol shot of my works, not only singly, but in numbers, with arms in their hands. Neither is it my wish to wage war with individuals; but, should you, after this, continue to approach my post in the threatening manner you are at this moment doing, my indispensable duty to my king and country, and the honor of my profession, will oblige me to have recourse to those measures, which thousands of either nation may hereafter have cause to regret, and which, I solemnly appeal to God, I have used my utmost endeavors to arrest.

I have the honor to be, sir, with much respect, your most obedient and very humble servant,

WILLIAM CAMPBELL, Major 24th Regiment,

Commanding at Fort Miami.

Major General WAYNE, &c.

[ NUMBER IV. ]

"CAMP, BANKS OF THE MIAMI, 22d August, 1794:

"Sir: In your letter of the 21st instant, you declare, "I have no hesitation, on my part, to say, that I know of no war exist-

ing between Great Britain and America." I, on my part, declare the same, and that the only cause I have to entertain a contrary idea at present, is the hostile act you are now in commission of, *i. e.* by recently taking post far within the well known and acknowledged limits of the United States, and erecting a fortification in the heart of the settlements of the Indian tribes now at war with the United States. This, sir, appears to be an act of the highest aggression, and destructive to the peace and interest of the Union. Hence, it becomes my duty to desire, and I do hereby desire and demand, in the name of the President of the United States, that you immediately desist from any further act of hostility or aggression, by forbearing to fortify, and by withdrawing the troops, artillery, and stores, under your orders and direction, forthwith, and removing to the nearest post occupied by His Britannic Majesty's troops at the peace of 1783, and which you will be permitted to do unmolested by the troops under my command.

I am, with very great respect, sir, your most obedient and very humble servant,

ANTHONY WAYNE.

Major WILLIAM CAMPBELL, &c.

[NUMBER V.]

"FORT MIAMI, 22d August, 1794.

"Sir: I have this moment the honor to acknowledge the receipt of your letter of this date; in answer to which I have only to say, that, being placed here in the command of a British post, and acting in a military capacity only, I cannot enter into any discussion, either on the right or impropriety of my occupying my present position. Those are matters that I conceive will be best left to the ambassadors of our different nations. Having said this much, permit me to inform you that I certainly will not abandon this post at the summons of any power whatever, until I receive orders to that purpose from those I have the honor to serve under, or the fortune of war should oblige me. I must still adhere, sir, to the purport of my letter this morning, to desire that your army, or individuals

belonging to it, will not approach within reach of my cannon, without expecting the consequences attending it. Although I have said in the former part of my letter, that my situation here is totally military, yet, let me add, sir, that I am much deceived, if His Majesty, the King of Great Britain, had not a post on this river, at and prior to the period you mention.

I have the honor to be, sir, with the greatest respect, your most obedient and very humble servant,

WILLIAM CAMPBELL, Major 24th Regiment,

Commanding at Fort Miami.

To Major General WAYNE, &c."

## CHAPTER XVIII.

ON the 14th of September, 1794, the army under the command of Wayne moved from Fort Defiance and marched towards the deserted Miami village which stood at the confluence of the rivers St. Joseph and St. Mary's. The troops reached that place on the 17th of September; and, on the 18th, General Wayne reconnoitered the ground, and selected a site for a fort. On the 22d of October, a fort was completed and garrisoned by a strong detachment, consisting of infantry and artillery, under the command of Colonel John F. Hamtramck, who gave to the new fortification the name of Fort Wayne. The mounted volunteers of Kentucky moved from the Miami village on the 14th of October, on their way to Fort Washington, where, soon after their arrival, they were mustered and discharged. On the 28th of October, the main body of the regular troops marched from Fort Wayne on the route to Fort Greenville; at which post, on the 2d of November, General Wayne again established his head-quarters.

The Indians, who were defeated on the 20th of August, 1794, retired, disappointed and disheartened, to the borders of Maumee Bay: and, while Wayne continued to send messages to them, renewing his overtures of peace and friendship and inviting them to visit Fort Greenville for the purpose of concluding a treaty with the United States, Lieutenant Governor Simcoe, Colonel McKee and other officers of the British Indian department, persuaded Little Turtle, Blue Jacket, Buck-ong-ahelas, and other distinguished chiefs, to agree to hold an Indian Council at the mouth of Detroit river. After the action of the 20th of August, there was a general suspension of hos-

tilities on the part of the Indians, who seemed to be inclined to determine for war or peace, "according to the certainty or uncertainty of effectual support from the British."\* A war between Great Britain and the United States at this juncture, was, however, prevented mainly by the prudence and firmness of Washington, seconded by the diplomatic skill of John Jay, who, on the 19th of April, 1794, was appointed Envoy Extraordinary from the United States of America to the Court of St. James, "for the purpose of confirming, between the United States of America and His Britannic Majesty, perfect harmony and a good correspondence, and of removing all grounds of dissatisfaction."† On the 19th of November, 1794, at London, after protracted and perplexing negotiations, Mr. Jay and William Wyndham (Lord Grenville) concluded a treaty of amity, commerce, and navigation, between the United States and Great Britain.

This treaty was comprised in twenty-nine articles, the first of which was in the words following: "There shall be a firm, inviolable, and universal peace, and a true and sincere friendship, between His Britannic Majesty, his heirs and successors, and the United States of America; and between their respective countries, territories, cities, towns, and people of every degree, without exception of persons or places." By the second article of the treaty, the King of Great Britain agreed to withdraw, on or before the 1st day of June, 1796, all his troops and garrisons from all posts and places within the boundary lines assigned to the United States by the treaty of peace of 1783.

During the winter of 1794-5, General Wayne was visited at his head-quarters by parties of Wyandots, Ottawas, Chippewas, Pottawattamies, Sacs, Miamies, Delawares, and Shawanees; who, respectively, signed preliminary articles of peace, and agreed to meet Wayne at Greenville, on or about the 15th of June, 1795, with all the sachems and war chiefs of their

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\* Am. State Papers—Indian Affairs, p. 529.

† Letters of credence from Washington to John Jay—Am. State Papers—Foreign Relations, i. 471

nations, for the purpose of concluding a definitive treaty of peace between the United States and the Indian tribes of the northwestern territory.

Early in the month of June, 1795, strong deputations from various tribes arrived at Greenville. The treaty of Fort Harmar, which was concluded at the mouth of the Muskingum, on the 9th of January, 1789, was selected by General Wayne as the foundation upon which the Indians were required to begin negotiations for peace. In the course of these negotiations, which were carried on from the 16th of June to the 10th of August, some of the Indian chiefs were unwilling to acknowledge the validity of the treaty of Fort Harmar. The Little Turtle, a Miami chief, addressing General Wayne on the 18th of July, said, "You have told me that the present treaty should be founded upon that of Muskingum. I beg leave to observe to you, that that treaty was effected altogether by the Six Nations, who seduced some of our young men to attend it, together with a few of the Chippewas, Wyandots, Delawares, Ottawas, and Pottawattamies. I beg leave to tell you that I am entirely ignorant of what was done at that treaty."\*

On the 19th of July, Blue Jacket, a distinguished Shawanee chief, being in private conference with General Wayne, said, "Brother: I am very happy, that, notwithstanding all the difficulties and obstructions I had to encounter from my relations and others at Detroit, I have succeeded so far in bringing my people to you at this time. I expect intelligence this day of the approach of more of them. I have briefly acquainted you with these things. I repeat my assurances of the sincerity of my sentiments and resolution, to be, for the future, a steady friend to the United States."

On the 21st of July, in council, Masass, a Chippewa chief, spoke to General Wayne, in behalf of the Ottawas, Chippewas, and Pottawattamies, who were called "the three fires." The following is an extract from his speech: "Elder Brother: When you yesterday read to us the treaty of Muskingum, I under-

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\* Minutes and proceedings of the Treaty at Greenville.—Am. State Papers—Indian Affairs—p. 567.

stood you clearly : at that treaty we had not good interpreters, and we were left partly unacquainted with many particulars of it. I was surprised when I heard your voice, through a good interpreter, say that we had received presents and compensation for those lands which were thereby ceded. I tell you, now, that we, the three fires, never were informed of it. If our uncles, the Wyandots, and grandfathers, the Delawares, have received such presents, they have kept them to themselves. I always thought that we, the Ottawas, Chippewas, and Pottawattamies, were the true owners of those lands, but now I find that new masters have undertaken to dispose of them; so that, at this day, we do not know to whom they, of right, belong. We never received any compensation for them. I don't know how it is, but ever since that treaty, we have become objects of pity, and our fires have been retiring from this country. Now, elder brother, you see we are objects of compassion; and have pity on our weakness and misfortunes; and, since you have purchased these lands, we cede them to you: they are yours. Perhaps, at a future day, your younger brothers may be made happy, by becoming your children, should you extend to us your paternal protection."

Soon after Masass closed his remarks on the 21st, the Miami chief, Little Turtle, addressed to General Wayne the following speech: "I wish to ask of you and my brothers present, one question. I would be glad to know what lands have been ceded to you, as I am uninformed in this particular. I expect that the lands on the Wabash, and in this country, belong to me and my people. I now take the opportunity to inform my brothers of the United States, and others present, that there are men of sense and understanding among my people, as well as among theirs, and that these lands were disposed of without our knowledge or consent. I was yesterday surprised, when I heard from our grandfathers, the Delawares, that these lands had been ceded by the British to the Americans, when the former were beaten by, and made peace with, the latter; because you had before told us that it was the Wyandots, Delawares,

Ottawas, Chippewas, Pottawattamies, and Sauckeys, [Sacs,] who had made this cession." \*

On the 22d of July, in council at Greenville, Little Turtle spoke as follows: "GENERAL WAYNE: I hope you will pay attention to what I now say to you. I wish to inform you where your younger brothers, the Miamies, live, and, also, the Pottawattamies of St. Joseph's, together with the Wabash Indians. You have pointed out to us the boundary line between the Indians and the United States, but now I take the liberty to inform you that that line cuts off from the Indians a large portion of country which has been enjoyed by my forefathers time immemorial, without molestation or dispute. The print of my ancestors' houses are every where to be seen in this portion. I was a little astonished at hearing you, and my brothers who are now present, telling each other what business you had transacted together heretofore at Muskingum, concerning this country. It is well known by all my brothers present, that my forefather kindled the first fire at Detroit; from thence he extended his lines to the head waters of Scioto; from thence, to its mouth; from thence, down the Ohio, to the mouth of the Wabash, and from thence to Chicago, on Lake Michigan; at this place I first saw my elder brothers, the Shawanees. I have now informed you of the boundaries of the Miami nation, where the Great Spirit placed my forefather a long time ago, and charged him not to sell or part with his lands, but to preserve them for his posterity. This charge has been handed down to me. I was much surprised to find that my other brothers differed so much from me on this subject: for their conduct would lead one to suppose, that the Great Spirit, and their forefathers, had not given them the same charge that was given to me; but, on the contrary, had directed them to sell their lands to any white man who wore a hat, as soon as he should ask it of them. Now, elder brother, your younger brothers, the Miamies, have pointed out to you their country, and also to our brothers present. When I hear your

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\* Minutes and proceedings of the Treaty at Greenville.

remarks and proposals on this subject, I will be ready to give you an answer. I came with an expectation of hearing you say good things, but I have not yet heard what I expected.”\*

Tarke, or Crane, the chief of the Wyandots, then arose and made a speech, from which the following passages are copied: “ELDER BROTHER: [General Wayne:] Now listen to us! The Great Spirit above has appointed this day for us to meet together. I shall now deliver my sentiments to you, the fifteen fires. I view you lying in a gore of blood. It is me, an Indian, who has caused it. Our tomahawk yet remains in your head. The English gave it to me to place there. Elder Brother: I now take the tomahawk out of your head; but, with so much care, that you shall not feel pain or injury. I will now tear a big tree up by the roots, and throw the hatchet into the cavity which they occupied, where the waters will wash it away where it can never be found. Now I have buried the hatchet, and I expect that none of my color will ever again find it out. I now tell you, that no one in particular can justly claim this ground: it belongs, in common, to us all: no earthly being has an exclusive right to it. The Great Spirit above is the true and only owner of this soil, and he has given us all an equal right to it. \* \* \* Brother: You have proposed to us to build our good work on the treaty of Muskingum: that treaty I have always considered as formed upon the fairest principles. You took pity on us Indians. You did not do as our fathers the British agreed you should. You might by that agreement have taken all our lands; but you pitied us, and let us hold part. I always looked upon that treaty to be binding upon the United States and us Indians.”†

In council, on the 24th of July, General Wayne delivered the following speech, before the assembled Indians: “Brothers: The Ottawas, Chippewas and Pottawattamies, open your ears, and be attentive: I have heard with very great pleasure, the sentiments delivered by Masass, as the unanimous voice of your three nations. When Mash-i-pi-nash-i-wish, your uncle,

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\* Minutes and proceedings of the Treaty of Greenville.

† Minutes and proceedings of the Treaty of Greenville.

came to me, last winter, I took him to my bosom, and delivered him the keys of all my forts and garrisons; and my heart rejoices when I look around me, and see so many of your chiefs and warriors assembled here, in consequence of that happy meeting. It will give infinite pleasure to General Washington, the great chief of the fifteen fires, when I inform him you have thrown the hatchet with so strong an arm, that it has reached the middle, and sunk to the bottom of the great lake, and that it is now so covered with sand, that it can never again be found. The belt which was given to Wassung,\* many years since, establishing a road between you and the fifteen fires, I now return, renewed, and cleared of all the brush and brambles with which time had scattered it.

“Brothers, of the three great fires: You say that you thought you were the owners of the land that was sold to the fifteen fires, at the treaty of Muskingum; but, you say, also, that you never received any compensation for those lands. It was always the wish and the intention of the fifteen fires that the true owners of those lands should receive a full compensation for them: if you did not receive a due proportion of the goods, as original proprietors, it was not the fault of the United States: on the contrary, the United States have twice paid for those lands; first at the treaty of [Fort] McIntosh, ten years ago, and next at that of Muskingum, six years since. Younger brothers: Notwithstanding these lands have been twice paid for, by the fifteen fires, at the places I have mentioned, yet, such is the justice and liberality of the United States, that they will now, a third time, make compensation for them. [A large string to the three fires.]

“Brothers, the Miamies: I have paid attention to what the Little Turtle said two days since, concerning the lands which he claims. He said his fathers first kindled the fire at Detroit, and stretched his line from thence to the head waters of Scioto; thence, down the same, to the Ohio; thence, down that river to the mouth of the Wabash; and from thence to Chicago, on the southwest end of Lake Michigan, and observed that his

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\* A Chippewa Indian.

forefathers had enjoyed that country undisturbed, from time immemorial. Brothers: These boundaries enclose a very large space of country, indeed; they embrace, if I mistake not, all the lands on which all the nations now present live, as well as those which have been ceded to the United States. The lands which have been ceded have, within these three days, been acknowledged by the Ottawas, Chippewas, Pottawattamies, Wyandots, Delawares, and Shawanees. The Little Turtle says, the prints of his forefathers' houses are every where to be seen within these boundaries. Younger brother, it is true, these prints are to be observed; but, at the same time, we discover the marks of French possessions throughout this country, which were established long before we were born. These have since been in the occupancy of the British, who must, in their turn, relinquish them to the United States, when they, the French and Indians, will be all as one people. [A white string.]

"I will point out to you a few places where I discover strong traces of these establishments; and, first of all, I find at Detroit a very strong print, where the fire was first kindled by your forefathers: next at Vincennes, on the Wabash; again at Musquigon, on the same river; a little higher up that stream, they are to be seen at Ouiatenon. I discover another strong trace at Chicago; another on the St. Joseph's of Lake Michigan; I have seen distinctly the prints of a French and a British post at the Miami villages, and of a British post at the foot of the Rapids, now in their possession; prints, very conspicuous, are on the Great Miami, which were possessed by the French forty-five years ago; and another trace is very distinctly to be seen at Sandusky. It appears to me, that, if the Great Spirit, as you say, charged your forefathers to preserve their lands entire for their posterity, they have paid very little regard to the sacred injunction: for I see they have parted with those lands to your fathers the French, and the English are now, or have been, in possession of them all; therefore, I think the charge urged against the Ottawas, Chippewas, and the other Indians, comes with a bad grace indeed, from the very people who perhaps set them the example. The English and French

both wore hats; and yet your forefathers sold them, at various times, portions of your lands: however, as I have already observed, you shall now receive from the United States further valuable compensation, for the lands you have ceded to them by former treaties.

“Younger brothers: I will now inform you who it was who gave us these lands, in the first instance: it was your fathers the British, who did not discover that care for your interest which you ought to have experienced. This is the treaty of peace, made between the United States of America and Great Britain, twelve years ago, at the end of a long and bloody war, when the French and Americans proved too powerful for the British. On these terms they obtained peace. [Here part of the treaty of 1783 was read.] Here you perceive that all the country south of the great lakes has been given up to America; but the United States never intended to take that advantage of you, which the British placed in their hands: they wish you to enjoy your just rights, without interruption, and to promote your happiness. The British stipulated to surrender to us all the posts on their side of the boundary agreed on. I told you some days ago, that treaties should ever be sacredly fulfilled by those who make them; but the British, on their part, did not find it convenient to relinquish those posts as soon as they should have done; however, they now find it so, and a precise period is accordingly fixed for their delivery. I have now in my hand the copy of a treaty, made eight months since, between them and us, of which I will read you a little. [First and second articles of Mr. Jay’s treaty read.] By this solemn agreement, they promise to retire from Michilimackinack, Fort St. Clair, Detroit, Niagara, and all other places on this side of the lakes, in ten moons from this period, and leave the same to full and quiet possession of the United States.

“Brothers: All nations present, now listen to me! Having now explained those matters to you, and informed you of all things I judged necessary for your information, we have nothing to do but to bury the hatchet, and draw a veil over past misfortunes. As you have buried our dead with the concern

of brothers, so I now collect the bones of your slain warriors, put them into a deep pit, which I have dug, and cover them carefully over with this large belt, there to remain undisturbed. I also dry the tears from your eyes, and wipe the blood from your bodies, with this soft, white linen: no bloody traces will ever lead to the graves of your departed heroes; with this I wipe all such entirely away. I deliver it to your uncle, the Wyandot, who will send it round amongst you. [A large belt with a white string attached.] I now take the hatchet out of your heads, and with a strong arm throw it into the centre of the great ocean, where no mortal can ever find it; and I now deliver to you the wide and straight path to the fifteen fires, to be used by you and your posterity for ever. So long as you continue to follow this road, so long will you continue to be a happy people: you see it is straight and wide, and they will be blind indeed, who deviate from it. I place it also in your uncle's hands, that he may preserve it for you. [A large road belt.] I will, the day after to-morrow, show you the cessions you have made to the United States, and point out to you the lines which may, for the future, divide your lands from theirs; and, as you will have to-morrow to rest, I will order you a double allowance of drink; because we have now buried the hatchet, and performed every necessary ceremony, to render propitious our renovated friendship."\*

In council with the Indians, on Monday, the 27th of July, General Wayne read the several articles of the proposed treaty;† and, in explanation of the third article, spoke as follows: "Younger brothers: I wish you clearly to understand the object of these reservations: they are not intended to annoy, or impose the smallest degree of restraint on you, in the quiet enjoyment and full possession of your lands; but to connect the settlements of the people of the United States, by rendering a passage from one to the other more practicable and convenient, and to supply the necessary wants of those who shall reside at them. They are intended, at the same time, to prove conve-

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\* Minutes and proceedings of the Treaty of Greenville.

† See Appendix F.

nient and advantageous to the different tribes of Indians residing and hunting in their vicinity, as trading posts will be established at them, to the end that you may be furnished with goods in exchange for your skins and furs, at a reasonable rate. You will consider that the principal part of the now proposed reservations were made and ceded by the Indians, at an early period to the French: the French, by the treaty of peace of 1763, ceded them to the British; who, by the treaty of 1783, ceded all the posts and possessions they then held, or to which they had any claim, south of the great lakes, to the United States of America. The treaty of Muskingum embraced almost all these reservations, and has been recognized by the representatives of all the nations now present, during the course of last winter, as the basis upon which this treaty should be founded."

On the 28th of July, the Ottawas, Chippewas, and Pottawattamies said that they were united in opinion, and that they fully agreed to the articles of the treaty proposed by General Wayne. The Sun, a Pottawattamie chief, said to Wayne—"I shall now dispose of this belt. [A war belt.] I live too far from the lakes, and my arm is not long enough to throw it into the centre of any of them; neither have I strength sufficient to tear up a big tree and bury it beneath its roots; but I will put it from me as effectually, by surrendering it into your hands, as by doing with it any thing else. You may burn it if you please, or transform it into a necklace for some handsome squaw; and thus change its original design and appearance, and prevent, for ever, its future recognition. It has caused us much misery, and I am happy in parting with it."

On the 29th of July, Tarke, (or Crane,) chief of the Wyandots, presented to General Wayne a written address\* from the Wyandots, Delawares, and Shawanees. The following is an extract from this address: "Brothers, of the fifteen united fires, listen! You have requested of us all, to give you an account of the nation, or nations, the true owner of the soil

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\* This address was signed by "J. WILLIAMS, agent and commissioner for the chiefs and warriors of Sandusky."

northwest of the Ohio, of the boundaries you have laid off two days ago. We will ask you a few questions. Did you not, in the last war between you and the British, divide the country? He gave one part to you, and the other part he reserved for himself. We are well acquainted that you are master of the lands, and you have now thought proper to return a large tract of the country to us again. Brothers: *We leave the disposal of the country wholly in your breast.* Make the boundaries that shall divide the lands between our nations, as we, the Wyandots, Delawares, and Shawanees, wish to know if we are entitled to any part of it. We wish to inform you of the impropriety of not fixing the bounds of every nation's rights: for, the manner it now lies in, would bring on disputes forever between the different tribes of Indians; and we wish to be by ourselves, that we may be acquainted how far we might extend our claims, that no one may intrude on us nor we upon them."

After the letter from the Wyandots, Delawares, and Shawanees was read, Little Turtle, the principal Miami chief, arose and spoke as follows: "Elder brother, and all you present:\* I am going to say a few words in the name of the Pottawattamies, Weas, and Kickapoos. It is well known to you all, that people are appointed on those occasions, to speak the sentiments of others; therefore am I appointed for those three nations. Elder brother: You told your younger brothers, when we first assembled, that peace was your object; you swore your interpreters before us, to the faithful discharge of their duty, and told them the Great Spirit would punish them, did they not perform it. You told us that it was not you, but the President of the fifteen fires of the United States who spoke to us; that, whatever he should say should be firm and lasting; that it was impossible he should say what was not true. Rest assured that your younger brothers, the Mianies, Chippewas, Ottawas, Pottawattamies, Shawanees, Weas, Kickapoos, Pian-

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\* The numbers of the different nations of Indians present at, and parties to, the treaty of Greenville, were as follows: Wyandots, 180—Delawares, 381—Shawanees, 143—Ottawas, 45—Chippewas, 46—Pottawattamies, 240—Miamies and Eel Rivers, 73—Weas and Piankeshaws, 12—Kickapoos and Kaskaskias, 10. Total, 1,130.—[Minutes and proceedings of the Treaty of Greenville.]

keshaws, and Kaskaskias, are well pleased with your words, and are persuaded of their sincerity. You have told us to consider of the boundaries you showed us; your younger brothers have done so, and now proceed to give you their answer.

“Elder brother: Your younger brothers do not wish to hide their sentiments from you. I wish them to be the same with those of the Wyandots and Delawares. You have told us, that most of the reservations you proposed to us, belonged to our fathers, the French and the British. Permit your younger brothers to make a few observations on this subject. Elder brother: We wish you to listen with attention to our words. You have told your younger brothers, that the British imposed falsehoods on us, when they said the United States wished to take our lands from us, and that the United States had no such design: You pointed out to us the boundary line, which crossed a little below Loromie’s store, and struck Fort Recovery, and run from thence to the Ohio, opposite the mouth of Kentucky river. Elder brother: You have told us to speak our minds freely, and we now do it. This line takes in the greater and best part of your brother’s hunting ground; therefore, your younger brothers are of opinion, you take too much of their lands away, and confine the hunting of our young men within limits too contracted. Your brothers, the Miamies, the proprietors of those lands, and all your younger brothers present, wish you to run the line as you mentioned, to Fort Recovery, and to continue it along the road, from thence to Fort Hamilton, on the Great Miami river. This is what your brothers request you to do, and you may rest assured of the free navigation of that river, from thence to its mouth, for ever. Brother: Here is the road we wish to be the boundary between us. What lies to the east, we wish to be yours; that to the west, we would desire to be ours. [Presenting a road belt.]

“Elder brother: In speaking of the reservations, you say they are designed for the same purpose as those for which our fathers, the French and English, occupied them. Your younger brothers now wish to make some observations on them. Elder brother: Listen to me with attention. You told us you

discovered on the Great Miami, traces of an old fort. It was not a French fort, brother: it was a fort built by me. You perceived another at Loromie's: 'tis true a Frenchman once lived there for a year or two. The Miami villages were occupied as you remarked; but, it was unknown to your younger brothers, until you told them, that we had sold land there to the French or English. I was much surprised to hear you say that it was my forefathers had set the example to the other Indians, in selling their lands. I will inform you in what manner the French and English occupied those places. Elder brother: These people were seen by our forefathers first at Detroit: afterwards we saw them at the Miami village—that glorious gate, which your younger brothers had the happiness to own, and through which all the good words of our chiefs had to pass, from the north to the south, and from the east to the west. Brothers, these people never told us they wished to purchase our lands from us.

“Elder brother: I now give you the true sentiments of your younger brothers, the Miamies, with respect to the reservation at the Miami villages. We thank you for kindly contracting the limits you at first proposed. We wish you to take this six miles square on the side of the river where your fort now stands, as your younger brothers wish to inhabit that beloved spot again. You shall cut hay for your cattle wherever you please, and you shall never require in vain the assistance of your younger brothers at that place. Elder brother: The next place you pointed to was the Little River, and said you wanted two miles square at that place. This is a request that our fathers, the French and British, never made us: it was always ours. This carrying place has heretofore proved, in a great degree, the subsistence of your younger brothers. That place has brought to us, in the course of one day, the amount of one hundred dollars. Let us both own this place, and enjoy in common the advantages it affords. You told us, at Chicago the French possessed a fort: we have never heard of it. We thank you for the trade you promised to open in our country; and permit us to remark, that we wish our former traders may

be continued, and mixed with yours. Elder brother: On the subject of hostages, I have only to observe, that I trust all my brothers present are of my opinion with regard to peace and our future happiness. I expect to be with you every day when you settle on your reservations; and it will be impossible for me or my people to withhold from you a single prisoner; therefore, we don't know why any of us should remain here. These are the sentiments of your younger brothers present, on these particulars."

On the 30th of July, Little Turtle, at the request of the Kickapoos, Kaskaskias, and Weas, spoke in council of the willingness of those tribes to accede to the several articles of the proposed treaty. The Wea chief, Little Beaver, said to General Wayne, "You have asked for a reservation at the Ouia-tenon; I hope you will put a trader there on the spot formerly occupied by one. We would wish Captain Prior to be our trader. I can't give you any lands there, brother: I will lend you some as long as you want it. Elder brother: You have told us of a place possessed by the French, called Musquiton. We have lived at our village a long time; it is surprising that we should never know any thing about it. The French lived at Vincennes, where they were permitted to settle by my forefathers, who told them they should have a small quantity of land for the cattle, &c. on the east, but none on the west side of the Wabash."

Masass, a Chippewa chief, in the course of a short speech, said, "Elder brother: I have listened to all your words, and to those of my brothers. It would be very wrong in me to raise objections to what has been done, as you have explained to us your treaty with Great Britain. You say at the fort of Detroit you intend to take a piece of land six miles deep from the river Rosine to Lake St. Clair. I now ask you, what is to become of our brothers, the French, who live on this land? We look on them as our brothers and friends, who treated us well when abused by the British. We wish to know your sentiments on the subject."

When Masass concluded his speech, General Wayne rose, and spoke as follows:

“Younger brothers: All of you, listen with attention! I shall now reply to what was said yesterday by the Wyandots. I will then answer the observations of the Little Turtle, made in behalf of the Miamies and Wabash tribes. Younger brothers, the Wyandots, Delawares, and Shawanees: I am pleased to hear you say, with one voice, for the second time, that I have done the greatest justice to you in dividing the lands of the United States from those of the Indian nations, by the boundary line which I have proposed. You request me to fix the boundaries that shall divide the lands between the respective tribes of Indians now present. Younger brothers: A moment’s reflection will show you the impropriety, as well as impossibility, of my acting in this business. You, Indians, best know your respective boundaries. I particularly recommend to all you nations present, to continue friendly and just to each other: let no nation, or nations, invade, molest, or disturb, any other nation, or nations, in the hunting grounds they have heretofore been accustomed to live and hunt upon, within the boundary which shall now be agreed on; and, above all, I enjoin that no injury be offered to any nation, or nations, in consequence of the part any, or either of them, may have pursued, to establish a permanent and happy peace with the United States of America. Younger brothers, the Wyandots, and other Indians, of Sandusky, make your hearts and minds easy. Be assured that, as soon as circumstances will permit, a fort shall be established on the reserved lands, near the entrance of Sandusky Lake, which will always afford you protection against the common enemy, should any such presume to disturb our peace and mutual friendship.

“Younger brothers, the Miamies: I have listened to you with attention; and have heard your observations upon the general boundary line proposed by me, as well as upon the proposed reservations. If my ears did not deceive me, I have heard all the other nations give their assent to the general boundary line, and to the reservations generally; I, therefore,

address you, the Miamies. You say that the general boundary line, as proposed by me, will take away some of your best hunting grounds; and propose to alter it, and run it from Fort Recovery, through the centre of this place, and along the road to the Miami river, opposite Fort Hamilton. Younger brothers: This would be a very crooked, as well as a very difficult line to follow: because, there are several roads between this and Fort Hamilton, some of them several miles apart, which might certainly be productive of unpleasant mistakes and differences: that which I propose will be free from all difficulty and uncertainty. You all know Fort Recovery, as well as the mouth of Kentucky river: a straight line, drawn from one to the other, will never vary: they are two points which will ever be remembered, not only by all present, but by our children's children, to the end of time: nor will this line prevent your hunters, or young men, in the smallest degree, from pursuing all the advantages which the chase affords; because, by the seventh article, the United States of America grant liberty to all the Indian tribes to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

"I find there is some objection to the reservation at Fort Wayne. The Little Turtle observes, he never heard of any cessions made at that place to the French. I have traced the lines of two forts at that point: one stood near the junction of the St. Josephs with the St. Mary's, and the other not far removed on the St. Mary's; and it is ever an established rule, among Europeans, to reserve as much ground around their forts as their cannon can command: this is a rule as well known as any other fact. Objection has also been made respecting the portage between Fort Wayne and the Little river: and the reasons produced, are, that that road has been to the Miamies a source of wealth; that it has, heretofore, produced them one hundred dollars per day. It may be so; but let us enquire who, in fact, paid this heavy contribution. It is true the traders bore it in the first instance; but they laid it on

their goods, and the Indians, of the Wabash, really and finally paid it: therefore, it is the Little Beaver, the Soldier, the Sun, and their tribes who have actually been so highly taxed. The United States will always be their carriers, to, and from, their different posts. Why should the United States pay the large sum of eight thousand dollars, annually, if they were not to enjoy the privilege of open roads to, and from, their reservations? And this sum of money the United States agree to pay for this and other considerations. And the share, which the Miamies will receive, of this annuity, shall be one thousand dollars. I will then enquire, of all the nations present, whether the United States are not acting the part of a tender father, to them and their children, in thus providing for them, not only at present, but for ever? The Miamies shall be at liberty, as usual, to employ themselves for private traders, whenever their assistance may be required; and those people who have lived at that glorious gate, the Miami villages, may now rekindle their fires at that favorite spot; and henceforth, as in their happiest days, be at full liberty to receive from, and send to, all quarters, the speeches of their chiefs as usual; and here is the road the Miamies will remember. [A road belt.]

“Now, all ye chiefs and warriors, of every nation present, open your ears that you may clearly hear the articles of the treaty, now in my hand, again read, and, a second time explained to you, that we may proceed to have them engrossed on parchment, which may preserve them for ever.”

The articles of the treaty were read a second time and explained by General Wayne, who said —

*On the article respecting hostages:* “I did not expect any objections to this particular; for I see no reason why you should hesitate at leaving ten of your people with me, until the return of our people from among you; the promise of a mutual exchange of prisoners, made last winter, when we met at this place, you have not performed on your part. I have kept none of your flesh and blood; nor would General Washington, the great chief of the United States suffer me so to do:

the period will be short, and those who remain shall be kindly treated."

*On the Ouiatenon reservation:* "The Little Beaver has asked for Captain Prior to reside, as a trader, at Ouiatenon: he shall reside at that place; but Captain Prior is a warrior, not a trader. He shall have a few warriors with him, to protect the trade and the Indians in that quarter."

*On the reservation at Detroit:* "Masass has asked, what will become of the French? The United States consider the French and themselves as one people; and it is partly for them and their accommodation, this reservation is made, whenever they become citizens thereof, as well as for the people of the fifteen fires."

*On the gift of the Isle de Bois Blanc:* "In addition to the cessions which the three fires have made with such cheerfulness, of the reservations in their country, Mash-i-pi-nash-i-wish has in their name, made a voluntary gift to the United States, of the Isle de Bois Blanc, in Lake Michigan. The fifteen fires accept of this unasked for grant from the Ottawas, Chippewas, and Pottawattamies, according to their intentions; and will always view it as an unequivocal mark of their sincere friendship."

*On trade:* "The Little Turtle yesterday expressed a wish, that some of their former traders might be continued among them as a part of the number to be licensed by the United States. This is very fair and reasonable, and a certain number will be licensed accordingly, when properly recommended as good and honest men."

General Wayne then said, "Brothers: All you nations now present, listen! You now have had, a second time, the proposed articles of treaty read and explained to you. It is now time for the negotiation to draw to a conclusion. I shall therefore ask each nation individually, if they approve of, and are prepared to sign, those articles, in their present form, that they may be immediately engrossed for that purpose. I shall begin with the Chippewas, who, with the others who approbate the measure, will signify their assent. You, Chippewas, do you

approve of these articles of treaty, and are you prepared to sign them? [A unanimous answer—yes.] You, Ottawas, do you agree? [A unanimous answer—yes.] You, Pottawattamies? [A unanimous answer—yes.] You, Wyandots, do you agree? [A unanimous answer—yes.] You, Delawares? [A unanimous answer—yes.] You, Shawanees? [A unanimous answer—yes.] You, Miamies, do you agree? [A unanimous answer—yes.] You, Weas? [A unanimous answer—yes.] And you, Kickapoos, do you agree? [A unanimous answer—yes.] The treaty shall be engrossed; and, as it will require two or three days to do it properly, on parchment, we will now part, to meet on the 2d of August: in the interim, we will eat, drink, and rejoice, and thank the Great Spirit for the happy stage this good work has arrived at.”

On the 3d of August, 1795, the treaty was signed by the sachems, chiefs, and principal men, of the Indian nations who inhabited the territory of the United States northwest of the river Ohio; and to each nation, respectively, a copy of the treaty, on paper, was delivered. A large quantity of goods, and many small ornaments, were then distributed among the Indians. On the 10th of August, in council, General Wayne, at the close of a short speech, said, “I now fervently pray to the Great Spirit, that the peace now established may be permanent, and that it may hold us together in the bonds of friendship, until time shall be no more. I also pray that the Great Spirit above may enlighten your minds, and open your eyes to your true happiness, that your children may learn to cultivate the earth, and enjoy the fruits of peace and industry. As it is probable, my children, that we shall not soon meet again in public council, I take this opportunity of bidding you all an affectionate farewell, and of wishing you a safe and happy return to your respective homes and families.”

Thus the treaty of Greenville was concluded in a manner which was satisfactory to the government of the United States and acceptable to the Indian tribes who inhabited the territory of the United States northwest of the river Ohio. Information of the treaty, and of the pacific disposition of the Indians, was

soon spread among the people of the eastern states of the American confederacy; and a full and constant tide of emigration began to flow from those states into the northwestern territory. Of the emigrants, some settled in the Western Reserve of Connecticut; some selected favorite sites on the banks of the Ohio; the rich valleys of the rivers Scioto and Muskingum were settled by others; and many, attracted by the fame of the fertile region which lies between the two Miami rivers, settled at various eligible places within the boundaries of Symmes' Purchase.

On the 29th day of May, 1795, Governor St. Clair and two judges of the northwestern territory, (John Cleves Symmes and George Turner,) met at Cincinnati, in their Legislative capacity. In the course of their session, which ended on the 25th of August, 1795, they adopted and made thirty-eight laws, under the following titles, to wit:

I.—A law subjecting real estate to execution for debt.—[Adopted from the Pennsylvania code.]

II.—A law allowing domestic attachments.—[Adopted from the Pennsylvania code.]

III.—A law regulating domestic attachments.—[Adopted from the Pennsylvania code.]

IV.—A law for the easy and speedy recovery of small debts.—[Adopted from the Pennsylvania code.]

V.—A law concerning defalcation.—[Adopted from the Pennsylvania code.]

VI.—A law for the trial and punishment of larceny, under a dollar and a half.—[Adopted from the Pennsylvania code.]

The first section of this law contains the following declaration: "If any person shall be convicted, either by his or her own confession, or the testimony of credible evidence, before any two justices of the peace, in their respective counties, of having feloniously stolen any money, goods, or chattels, (the same being under the value of five shillings, now equal to one hundred and fifty cents,) the offender shall have judgment, to be immediately and publicly whipped, upon his or her bare back, not exceeding fifteen lashes; or be fined in any sum, at the

discretion of the said justices, not exceeding three dollars; and, if able to make restitution, besides, to the party wronged; paying also the charges of prosecution and whipping: or, otherwise, shall be sent to the workhouse, to be kept at hard labor; and, for want of such workhouse, to be committed to prison, for such charges, for a term not exceeding twelve days."

VII.—A law to prevent unnecessary delays in causes, after issue joined.—[Adopted from the Pennsylvania code.]

VIII.—A law establishing courts of judicature.—[Adopted from the Pennsylvania code.]

IX.—A law for the limitation of actions.—[Adopted from the Pennsylvania code.]

X.—A law for the relief of persons conscientiously scrupulous to take an oath in the common form.—[Adopted from the Pennsylvania code.]

XI.—A law for the recovery of fines and forfeitures, and directing how the same are to be estreated.—[Adopted from the Pennsylvania code.]

XII.—A law ascertaining and regulating the fees of the several officers and persons therein named.—[Adopted from the New York and Pennsylvania codes.]

XIII.—A law for establishing orphans' courts.—[Adopted from the Pennsylvania code.]

XIV.—A law for the settlement of intestates' estates.—[Adopted from the Pennsylvania code.]

XV.—A law to license and regulate taverns.—[Adopted from the Pennsylvania code.]

XVI.—A law establishing the recorder's office.—[Adopted from the Pennsylvania code.]

XVII.—A law for raising county rates and levies.—[Founded on, and adopted from, the Pennsylvania code.]

XVIII.—A law for the relief of the poor.—[Adopted from the Pennsylvania code.]

XIX.—A law concerning the probate of wills, written or nuncupative.—[Adopted from the Pennsylvania code.]

XX.—A law regulating enclosures.—[Adopted from the Pennsylvania code.]

XXI.—A law as to the order of paying debts of persons deceased.—[Adopted from the Pennsylvania code.]

XXII.—A law concerning trespassing animals.—[Adopted from the Pennsylvania code.]

XXIII.—A law directing how husband and wife may convey their estates.—[Adopted from the Pennsylvania code.]

XXIV.—A law for the speedy assignment of dower.—[Adopted from the Massachusetts code.]

XXV.—A law giving remedies in equity, in certain cases.—[Adopted from the Massachusetts code.]

XXVI.—A law against forcible entry and detainer.—[Adopted from the Massachusetts code.]

XXVII.—A law annulling the distinction between petit treason and murder.—[Adopted from the Massachusetts code.]

XXVIII.—A law declaring what laws shall be in force.—[Adopted from the Virginia code.] This law was comprised in the following words: "The common law of England, all statutes or acts of the British Parliament made in aid of the common law, prior to the fourth year of the reign of King James the First (and which are of a general nature, not local to that kingdom,) and also the several laws in force in this Territory, shall be the rule of decision, and shall be considered as of full force, until repealed by Legislative authority, or disapproved of by Congress."

XXIX.—A law to prevent trespassing by cutting of timber.—[Adopted from the Pennsylvania code.]

XXX.—A law repealing certain laws and acts, and parts of laws and acts.

XXXI.—A law respecting divorces.—[Adopted from the Massachusetts code.]

XXXII.—A law for the partition of lands.—[Adopted from the New York code.]

XXXIII.—A law allowing foreign attachments.—[Adopted from the New Jersey code.]

XXXIV.—A law concerning the duty and power of coroners.—[Adopted from the Massachusetts code.]

XXXV.—A law for continuing suits in the general and circuit courts.—[Adopted from the Virginia code.]

XXXVI.—A law to suppress gaming.—[Adopted from the Virginia code.]

XXXVII.—A law as to proceedings in ejectment, distress for rent, and tenants at will holding over.—[Adopted from the Pennsylvania code.]

XXXVIII.—A law limiting imprisonment for debt, and subjecting certain debtors and delinquents to servitude.—[Adopted from the Pennsylvania code.] This law contained the following provisions: “No person shall be kept in prison, for debt or fines, longer than the second day of the sessions next after his or her commitment; unless the plaintiff shall make it appear, that the person imprisoned hath some estate that he will not disclose: then, and in every such case, the court shall examine all persons suspected to be privy to the concealment of such estate; and if no sufficient estate be found, the debtor shall make satisfaction, by personal and reasonable servitude, according to the judgment of the court where such action is tried (but only if the plaintiff require it) not exceeding seven years, where such debtor is unmarried, and under the age of forty years; unless it be the request of the debtor, who may be above that age: but if the debtor be married, and under the age of thirty-six, the servitude shall be for five years only; and with which the married man, upwards of thirty-six shall be privileged, if it be his request. Should the plaintiff refuse to accept such satisfaction according to the judgment of the court, as aforesaid, then the prisoner shall be discharged in open court, and the plaintiff be forever barred from any further or other action for the same debt.”

## CHAPTER XIX.

AT San Lorenzo el Real, on the 27th of October, 1795, Thomas Pinckney, Envoy Extraordinary from the United States to the court of Spain, and the Duke of Alcudia, Prince of Peace, &c. concluded a treaty of friendship, limits and navigation, between the United States of America and the King of Spain. The second and the fourth articles of this treaty here follow:

“Article 2. To prevent all disputes on the subject of the boundaries which separate the territories of the two high contracting parties, it is hereby declared and agreed as follows, to wit: The southern boundary of the United States, which divides their territories from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the river Mississippi, at the northernmost part of the thirty-first degree of latitude north of the equator, which from thence shall be drawn due east to the middle of the river Apalachicola, or Catahouche; thence along the middle thereof, to its junction with the Flint; thence straight to the head of St. Mary’s river, and thence, down the middle thereof, to the Atlantic ocean. And it is agreed, that if there should be any troops, garrisons, or settlements of either party, in the territory of the other, according to the above mentioned boundaries, they shall be withdrawn from the said territory within the term of six months after the ratification of this treaty, or sooner if it be possible; and that they shall be permitted to take with them all the goods and effects which they possess.”

“Article 4. It is likewise agreed, that the western boundary of the United States, which separates them from the Spanish

colony of Louisiana, is in the middle of the channel, or bed of the river Mississippi, from the northern boundary of the said states to the completion of the thirty-first degree of latitude north of the equator. And His Catholic Majesty has likewise agreed, that the navigation of the said river, in its whole breadth, from its source to the ocean, shall be free only to his subjects and the citizens of the United States, unless he should extend this privilege to the subjects of other powers by special convention."

This treaty between the United States of America and the kingdom of Spain, was ratified on the 3d of March, 1796; and on the 24th of May, in the same year, Andrew Ellicott was appointed commissioner, and Thomas Freeman surveyor, on the part of the United States, for the purpose of running the boundary line mentioned in the second article of the treaty.

Before the close of the month of July, 1796, the British garrisons, with their arms, artillery, and stores, were withdrawn from the posts within the boundaries of the United States northwest of the river Ohio. A detachment of American troops, consisting of sixty-five men, under the command of Captain Moses Porter, took possession of the evacuated fort at Detroit, on or about the 12th of July, 1796. In September, 1796, Winthrop Sargent, Secretary of the northwestern territory, proceeded to Detroit, erected the county of Wayne, and established the civil authority of the United States in that quarter.

The ratification of the treaty of amity, commerce, and navigation, between the United States and Great Britain, was regarded by the government of France as an alteration and suspension of the treaty which was made between France and the United States, in 1778; and, in July, 1796, the French Executive Directory charged the government of the United States with a breach of friendship, an abandonment of neutrality, and a violation of tacit engagements.\* A treaty of alliance, offensive and defensive, was concluded between France

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\* Am. State Papers—Foreign Relations, i. 730.

and Spain, on the 19th of August, 1796; and, on the 11th of December, 1796, James Monroe, American minister at Paris, was informed by Ch. de la Croix, French minister of Foreign Affairs, that the Executive Directory of France "would no longer recognise nor receive a minister plenipotentiary from the United States, until after a reparation of the grievances demanded of the American government." \*

In the course of the years of 1795, 1796, and 1797, before the Spanish posts on the eastern side of the Mississippi were given up to the United States, some efforts were made by the agents of France and Spain, to induce the people of the western country to separate themselves from the American union, and to establish, in conjunction with Spain and France, an independent government on the western side of the Allegheny mountains. After the death of Wayne,† General James Wilkinson obtained the command of the United States troops in the west; and, in the month of June, 1797, the Baron de Carondelet, Governor General of Louisiana, sent one of his agents, Thomas Power, to General Wilkinson, with a letter in which Wilkinson was requested to delay the march of the American troops for the posts on the Mississippi, until the adjustment of certain questions which were then pending between the United States and the government of Spain. The real object of the mission of Thomas Power was to ascertain the opinions and sentiments of the western people on the subject of a separation of the Union. The following passages are extracted from the secret instructions which were given to Power by the Baron de Carondelet, on the 26th of May, 1797:

"On your journey, you will give to understand adroitly, to those persons to whom you have an opportunity of speaking, that the delivery of the posts which the Spaniards occupy on the Mississippi, to the troops of the United States, is directly opposed to the interest of those of the west, who, as they must

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\* Am. State Papers—Foreign Relations, i. 746.

† Wayne died at Presque Isle, in December, 1796. He was buried on the southern shore of Lake Erie. In 1809 his remains were removed to his native county, by his son, Isaac Wayne.

one day separate from the Atlantic states, would find themselves without any communication with lower Louisiana, from whence they ought to expect to receive powerful succors in artillery, arms, ammunition, and money, either publicly or secretly, as soon as ever the western states should determine on a separation, which must insure their prosperity and their independence; that, for this reason, Congress is resolved on risking every thing to take those posts from Spain; and that it would be forging fetters for themselves, to furnish it with militia and means, which it can only find in the western states. These same reasons, diffused abroad by means of the public papers, might make the strongest impressions on the people, and induce them to throw off the yoke of the Atlantic states.

\* \* \* If a hundred thousand dollars distributed in Kentucky would cause it to rise in insurrection, I am very certain, that the minister, in the present circumstances, would sacrifice them with pleasure; and you may, without exposing yourself too much, promise them to those who enjoy the confidence of the people, with another equal sum to arm them, in case of necessity, and twenty pieces of field artillery.

“You will arrive without danger, as bearer of a despatch for the General, where the army may be, whose force, discipline, and disposition, you will examine with care; and you will endeavor to discover, with your natural penetration, the General’s disposition. I doubt that a person of his disposition would prefer, through vanity, the advantages of commanding the army of the Atlantic states, to that of being the founder, the liberator, in fine, the Washington of the western states: his part is as brilliant as it is easy; all eyes are drawn towards him; he possesses the confidence of his fellow citizens, and of the Kentucky volunteers: at the slightest movement, the people will name him the General of the new republic; his reputation will raise an army for him, and Spain as well as France will furnish him the means of paying it. On taking Fort Massac, we will send him instantly arms and artillery; and Spain, limiting herself to the possession of the forts of Natchez and Walnut Hills, as far as fort Confederation, will cede to the western

states all the eastern bank to the Ohio, which will form a very extensive and powerful republic, connected by its situation and by its interest, with Spain, and in concert with it, will force the savages to become a party to it, and to confound themselves in time with its citizens.

"The public are discontented with the new taxes; Spain and France are enraged at the connection of the United States with England; the army is weak and devoted to Wilkinson; the threats of Congress authorize me to succor, on the spot and openly, the western states: money will not then be wanting to me, for I shall send without delay, a ship to Vera Cruz in search of it, as well as of ammunition: nothing more will consequently be required, but an instant of firmness and resolution to make the people of the west perfectly happy. If they suffer this instant to escape them, and we are forced to deliver up the posts, Kentucky and Tennessee, surrounded by the said posts, and without communication with Lower Louisiana, will ever remain under the oppression of the Atlantic states."\*

The emissary, Power, passed through Tennessee, Kentucky, and the northwestern territory, as far as Detroit, where, late in the month of August, he found General Wilkinson. A letter dated "Detroit, September 4, 1797," from Wilkinson to Captain Robert Buntin, of Vincennes, contains the following passages: "I fear the Spaniards will oblige us to go to blows with them—in which case you know they must go to the wall. I shall pursue every means in my power to preserve to our country the blessings of peace; but shall make every preparation for war, and will be guarded against surprise. Mr. Power delivered me a letter from the Baron Carondelet, in which he states a variety of frivolous reasons for not delivering the posts, and begs that no more troops may be sent down the Mississippi, before certain adjustments take place between our respective courts. I have put aside all his exceptions, and have called on him in the most solemn manner to fulfil the treaty, as he regards the interest or honor of his master; and have

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\* Am. State Papers—Miscellaneous, ii. 103.

hopes that my letter may produce some change in the conduct of the Dons. \* \* Although Mr. Power has brought me this letter, it is possible it might be a mask to other purposes: I have, therefore, for his accommodation and safety put him in care of Captain Shaumburgh, who will see him safe to New Madrid, by the most direct route. I pray you to continue your vigilance, and give me all the information in your power. I am just from Michilimackinack, having visited that post to see it put in a state of defence."

On the 5th of December, 1797, Power wrote to Don Manuel Gayoso, Spanish Governor at Natchez, a letter from which the following is an extract: "Having informed him [General Wilkinson] of the proposals of the Baron [de Carondelet,] he proceeded to tell me that it was a chimerical project, which it was impossible to execute: that the inhabitants of the western states, having obtained by treaty all they desired, would not wish to form any other political or commercial alliances; and that they had no motive for separating themselves from the interests of the other states of the union, even if France and Spain should make them the most advantageous offers; that the fermentation which existed four years back is now appeased; that the depredations and vexations which American commerce suffered from the French privateers had inspired them with an implacable hatred for their nation; that some of the Kentuckians had proposed to him to raise three thousand men to invade Louisiana, in case a war should be declared between the United States and Spain; that the latter had no other course to pursue, under the present circumstances, but to comply fully with the treaty." In the same letter, Power said, "A great portion of the principal characters in Kentucky, Cumberland, [Tennessee,] and the Northwest Territory have been instigators of the expedition of Genet and Clark against this province; consequently they are enemies of those who are [enemies] of the French; more than one half of the rest are those who take the greatest interest in a more intimate union of the western states with us; and many of those who remain, (as they are not desirous of gaining conquests over Spain, but

only to preserve the limits and privileges marked in the treaty) will do what they can in order to avoid hostilities."\*

In a letter, written at Cincinnati, under the date of "June 3d, 1797," and addressed to Timothy Pickering, American Secretary of State, Winthrop Sargent, Secretary of the Northwestern Territory, said—"I seize the occasion to transcribe for you some paragraphs from a western letter. The Spaniards are reinforcing their upper posts on the Mississippi. General Howard, an Irishman, in quality of commander-in-chief, with upwards of three hundred men, is arrived at St. Louis, and employed in erecting very formidable works. It likewise appears, through various channels, that they are inviting a great number of the Indians of the Territory to cross the Mississippi; and, for this express purpose, Mr. Lorrómie, an officer in the pay of the crown, made a tour through all this country last fall; since which time several Indians have been sent on the same errand, and generally furnished with plenty of cash to defray their expenses. A large party of Delawares passed down on White River, about the 6th of May, on their way to the Spanish side, bearing the national flag of Spain, some of them from St. Louis. They [the Spaniards] have above the mouth of the Ohio, on the Mississippi, several row galleys with cannon."

The refusal of the French Republic to receive a minister from the United States—the angry decrees of the Executive Directory of France—the depredations which were committed by vessels of that nation on American commerce—and the attempts which were made by Spain and its emissaries to sever the Union† finally induced the American Government, in 1798, to adopt and enforce various measures of defence and retaliation. Among these measures the most important were—

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\* Am. State Papers—Miscellaneous, ii. 108.

† Vide History of Kentucky, by H. Marshall, i. 258, 283, 316: ii. 219, 250. — History of Louisiana, by Barbe Marbois, 152, 162.—Writings of Washington, (edited by Jared Sparks,) x. 355, 356, 360, 387: xii, 96. — Life of Washington, by John Marshall, ii. 250, 257, 261, 270, 332, 334, 393, 410: Wilkinson's Memoirs: — American State Papers, Miscellaneous, i. from p. 704 to p. 713, and from p. 922 to p. 939: ii. from p. 79 to p. 127. — American State Papers, Foreign Relations, vol. 1: vol. ii. from p. 14 to p. 103.

First:—An act authorizing the President of the United States to raise a provisional army.—Approved by the President, John Adams,\* on the 28th of May, 1798.

Second:—An act of Congress to suspend the commercial intercourse between the United States and France and the dependencies thereof.—Approved on the 13th of June, 1798.

Third:—An act to authorise the defence of the merchant vessels of the United States against French depredations.—Approved on the 25th of June, 1798.

Fourth:—An act concerning alien enemies.—Approved on the 25th of June, 1798. [The first section of this law was comprised in the words following:—*Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled*, That it shall be lawful for the President of the United States at any time during the continuance of this act,† to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the Secretary of State, by the Marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a license from the President to reside therein, or having obtained such license, shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted*, That if any alien so ordered to depart, shall prove, to the satisfaction of the President, by evidence to be

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\* John Adams, second President of the United States, was inaugurated on the 4th of March, 1797.

† The act was limited to the time of two years from and after its passage.

taken before such person or persons as the President shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the President may grant a license to such alien to remain within the United States, for such time as he shall judge proper, and at such place as he shall designate. And the President may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties, to the satisfaction of the person authorized by the President to take the same, conditioned for the good behavior of such alien during his residence in the United States, and not violating his license, which license the President may revoke whenever he shall think proper.']\* .

Fifth:—An act in addition to the act entitled “An act for the punishment of certain crimes against the United States.”—Approved on the 14th of July, 1798. Here follows the 2d section of this act:—“*And be it further enacted*, That if any person shall write, print, utter, or publish; or shall cause or procure to be written, printed, uttered, or published, or shall, knowingly and willingly, assist in writing, printing, uttering, or publishing, any false, scandalous, and malicious writing or writings, against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States; or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States; or to resist, oppose, or defeat, any such law or act; or to aid, encourage, or abet, any hostile design of any foreign nation against the United States, their people, or government,

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\* Laws of the United States, iii. 66.

then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished, by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.”\*

On the 2d of July, 1798, President Adams sent to the Senate of the United States a communication, in which he nominated the venerable Ex-President, George Washington, to the office of “Lieutenant General and commander-in-chief of the armies raised or to be raised for the service of the United States.” The Senate confirmed this nomination on the 3d of July: on the 13th of the same month, Washington accepted the new commission and addressed to Mr. Adams a letter, from which the following is an extract:—“I cannot express how greatly affected I am at this new proof of public confidence, and the highly flattering manner in which you have been pleased to make the communication; at the same time I must not conceal from you my earnest wish, that the choice had fallen upon a man less declined in years, and better qualified to encounter the usual vicissitudes of war. You know, sir, what calculations I had made relative to the probable course of events on my retiring from office, and the determination I had consoled myself with, of closing the remainder of my days in my present peaceful abode: you will, therefore, be at no loss to conceive and appreciate the sensations I must have experienced to bring my mind to any conclusion that would pledge me, at so late a period of life, to leave scenes I sincerely love, to enter upon the boundless field of public action, incessant trouble, and high responsibility.

“It was not possible for me to remain ignorant of, or indifferent to, recent transactions. The conduct of the Directory of France towards our country; their insidious hostility to its government; their various practices to withdraw the affections of the people from it; the evident tendency of their acts and those of their agents to countenance and invigorate opposition; their disregard of solemn treaties and the laws of nations; their war upon our defenceless commerce; their treatment of our

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\* Laws of the United States, iii. 98.

ministers of peace, and their demands, amounting to tribute; could not fail to excite in me corresponding sentiments with those my countrymen have so generally expressed in their affectionate addresses to you. Believe me, sir, no one can more cordially approve of the wise and prudent measures of your administration. They ought to inspire universal confidence; and will, no doubt, combined with the state of things, call from Congress such laws and means as will enable you to meet the full force and extent of the crisis. Satisfied, therefore, that you have sincerely wished and endeavored to avert war, and exhausted, to the last drop, the cup of reconciliation, we can with pure hearts appeal to heaven for the justice of our cause; and may confidently trust the final result to that Providence who has heretofore, and so often, signally favored the people of these United States.”\*

In the beginning of the year 1798, the government of Spain seemed to expect that Great Britain would send an expedition from Canada, through the Northwestern Territory, against the province of Louisiana. To quiet the anxiety of Spain, on this subject, and to protect the territory of the United States, President Adams, on the 4th of February, 1798, instructed General Wilkinson to employ all the force within his power, both militia and regulars, if necessary, to oppose the English or any other foreign nation, “who should presume to attempt a violation of the territory of the United States, by an expedition through it, against their enemies.” During the summer of 1798, the Spaniards retired reluctantly from the posts within the territory of the United States. On the 5th of October, 1798, General Wilkinson established his head quarters at Loftus’ Heights, where Fort Adams was soon afterwards erected. This Fort stood on the left bank of the river Mississippi, about six miles north of the 31st degree of north latitude.†

In the month of September, 1798, the French Minister of Foreign Affairs, Charles Maurice Talleyrand, intimated, indirectly,

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\* Journal of the Executive Proceedings of the Senate of the U. S. of America i. 291.

† Wilkinson’s Memoirs, i. 434.

to Mr. Murray, American minister in Holland, that the Republic of France was disposed to preserve peace with the United States, and desired to renew negotiations to effect that object. Negotiations were soon afterwards commenced at Paris and carried on until the 30th of September, 1800; on which day a treaty of peace and commerce was concluded between the United States and the Republic of France.\* By a treaty concluded at St. Ildefonso, on the 1st of October, 1800, Spain agreed to retrocede to France the province of Louisiana, with the same extent that it had when France possessed it: and, on the 30th of April, 1803, France sold and ceded Louisiana (in its greatest extent,) to the United States for a sum about equal to fifteen millions of dollars.†

At a legislative session which was commenced at Cincinnati on the 23d of April, 1798, and closed on the 7th of May, in the same year, Winthrop Sargent, acting as Governor of the northwestern territory, and John Cleves Symmes, Joseph Gilman, and Return Jonathan Meigs, jr. judges of the territory, adopted and published eleven laws, under the following titles:

I.—A law to confer on certain associations of the citizens of this territory the powers and immunities of corporations or bodies politic in law.—Adopted from the Pennsylvania code, and published on the 1st day of May.

II.—A law for the punishment of maiming or disfiguring.—Adopted from the Kentucky code, and published on the 1st day of May. [This law was comprised in the following words: “Whosoever on purpose and of malice aforethought by laying in wait shall unlawfully cut out or disable the tongue, put out an eye, slit or bite the nose, ear or lip, or cut off or disable any limb or member with the intention in so doing to maim or disfigure such person, or shall voluntarily, maliciously and of purpose, pull or put out an eye while fighting or otherwise, every such offender, his or her aiders, abettors and counsellors shall be sentenced to undergo a confinement in the jail of the county in which the offence is committed, for any time not less than

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\* Vide Am. State Papers, For. Relations, ii. 295, 344, 345.

† Vide Am. State Papers—Foreign Relations, ii. from p. 507 to 695:

one month nor more than six months, and shall also pay a fine not less than fifty dollars, and not exceeding one thousand dollars; one fourth of which shall be to the use of the territory, and three fourths thereof to the use of the party grieved, and for want of the means of payment the offender shall be sold to service by the court before which he is convicted, for any time not exceeding five years, the purchaser finding him food and raiment during the term.”]

III.—A law vesting certain powers in justices of the peace in criminal cases.—Adopted from the Massachusetts code, and published on the 1st day of May.

IV.—A law for the equal division and distribution of insolvent estates.—Adopted from the Connecticut code, and published on the 1st day of May.

V.—A law to provide for the improvement of the breed of horses.—Adopted from the Kentucky code, and published on the 1st day of May.

VI.—A law directing the mode of proceeding in civil cases.—Adopted from the Massachusetts code, and published on the 1st day of May.

VII.—A law in addition to a law entitled “a law ascertaining the fees of the several officers and persons therein named.”—Published on the 1st day of May.

VIII.—A law for the purpose of including all unsettled and unimproved tracts or parcels of land and subjecting them to taxation.”—Adopted from an act of the state of Kentucky, and published on the 1st day of May.

IX.—A law rendering the acknowledgment of deeds more easy.—Adopted from the Connecticut code, and published on the 1st day of May. [This law contained the following provision: “All grants and deeds made of houses and lands may be acknowledged before one of the judges of the territory, justice of the common pleas, or justice of the peace, any former law to the contrary notwithstanding.”]

X.—A law for establishing a land office.—Adopted from the Kentucky code, and published on the 1st of May.

XI.—An act repealing certain laws and parts of laws.—Published on the 1st day of May. [Parts of two laws, (one concerning the fees of officers, &c. and the other relating to county levies,) were repealed by this act.]

By an act of Congress, approved on the 7th of April, 1798,\* the Territory of Mississippi was established; and, on the 2d of May, Winthrop Sargent was nominated to the office of Governor of that territory. His nomination was confirmed by the Senate of the United States, on the 7th of May. On the 26th of June, in the same year, William Henry Harrison was nominated to the office of Secretary of the Territory of the United States northwest of the river Ohio, and the nomination was confirmed by the Senate on the 28th of the same month.

On the 29th day of October, 1798, Governor St. Clair issued a proclamation in which he directed the qualified voters of the northwestern territory to hold elections in their respective counties on the third Monday of December, and to elect representatives to a General Assembly, which he ordered to convene at Cincinnati on the 22d day of January, 1799. The representatives met at Cincinnati, and, in order to establish a Legislative Council according to the provisions of the Ordinance of 1787, nominated ten persons, whose names were sent to the President of the United States. Governor St. Clair then prorogued the meeting of the representatives to the 16th day of September, 1799. On the 2d of March, 1799, President Adams selected from the list of ten nominees, the names of Jacob Burnet, James Findlay, Henry Vanderburgh, Robert Oliver, and David Vance, and nominated these persons to be the Legislative Council of the Territory of the United States northwest of the river Ohio. On the next day the nomination was confirmed by the Senate.†

A few members of the Territorial Legislature met at Cincinnati on the 16th of September, 1799, but the two Houses were not properly organized until the 24th of September. Henry Vanderburgh was elected President of the Legislative

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\* Laws of the United States, iii. 39.

† Journal of the Executive proceedings of the Senate of the United States, i. 323.

Council. In the same body, William C. Schenk was elected Secretary; George Howard, Door-keeper, and Abner Cary, Sergeant-at-Arms. The names of the members of the House of Representatives were as follows:

From the county of Hamilton.—William Goforth, William McMillan, John Smith, John Ludlow, Robert Benham, Aaron Cadwell, [or Caldwell,] and Isaac Martin.

From the county of Ross.—Thomas Worthington, Samuel Finley, Elias Langham, and Edward Tiffin.

From the county of Wayne.—Solomon Sibley, Charles F. Chobert de Joncaire, and Jacob Visger.

From the county of Adams.—Joseph Darlington, and Nathaniel Massie.

From the county of Knox.—Shadrach Bond.

From the county of Jefferson.—James Pritchard.

From the county of Washington.—Return Jonathan Meigs.

The House of Representatives elected Edward Tiffin, Speaker; John Reilly, Clerk; Joshua Rowland, Door-keeper; and Abraham Cary, Sergeant-at-Arms.\*

On the 25th of September, Governor St. Clair addressed the Territorial Legislature, and, after calling the attention of that body to various subjects, closed his message in the following words: "The providing for, and the regulating the lives and morals of the present and of the rising generation, for the repression of vice, and immorality, and for the protection of virtue and innocence, for the security of property, and the punishment of crimes, is a sublime employment. Every aid in my power will be afforded, and I hope we shall bear in mind, that the character and deportment of the people, and their happiness, both here and hereafter, depend very much upon the genius and spirit of their laws."

On the 3d of October, 1799, the Territorial Legislature elected a Delegate to Congress from the northwestern territory. William H. Harrison, who was elected, received eleven votes; and Arthur St. Clair, jr. (son of Governor St. Clair,) received ten votes.

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\* Atwater's History of Ohio, 162.

In the course of their session, which was terminated on the 19th of December, 1799, the Legislative Council and House of Representatives passed forty-eight acts. Of these acts, Governor St. Clair approved thirty-seven, and vetoed eleven. Among these eleven rejected acts there were six that related to the erection of new counties. The following is a list of the titles of the laws which were passed by the Legislature and approved by the Governor :

I.—An act to confirm and give force to certain laws, enacted by the Governor and Judges of the Territory.— Approved on the 28th of October.

II.—An act regulating the admission and practice of attorneys and counsellors at law.— Approved on the 29th of October.

III.—An act regulating enclosures.— Approved on the 29th of October.

IV.—An act providing for the service and return of process in certain cases.— Approved on the 29th of October.

V.—An act regulating the interest of money, and fixing the same at six per centum per annum, and for preventing usury.— Approved on the 15th of November.

VI.—An act authorizing and regulating arbitrations.— Approved on the 15th of November.

VII.—An act to establish and regulate ferries.— Approved on the 15th of November.

VIII.—An act making promissory notes and inland bills of exchange negotiable.— Approved on the 15th of November.

IX.—An act to prevent trespassing by cutting of timber.— Approved on the 15th of November.

X.—An act supplemental to an act entitled “an act to prevent trespassing by cutting of timber.”—Approved on the 19th of December.

XI.—An act regulating grist-mills and millers.— Approved on the 2d of December.

XII.—An act to regulate the disposition of water-crafts of certain descriptions, found gone or going adrift, and of estray animals.— Approved on the 2d of December.

XIII.—An act for the prevention of vice and immorality.— Approved on the 2d of December. [This act was designed to prevent Sabbath-breaking, profane swearing, drunkenness, duelling, cock-fighting, running horses on public highways, and gambling at billiards, cards, dice, shovel-board, &c.]

XIV.—An act to create the office of a Territorial Treasurer and an Auditor of Public Accounts.— Approved on the 2d of December.

XV.—An act establishing courts for the trial of small causes.— Approved on the 2d of December.

XVI.—An act providing for the appointment of constables.— Approved on the 2d of December.

XVII.—An act to ascertain the number of free male inhabitants, of the age of twenty-one, in the territory of the United States northwest of the river Ohio, and to regulate the elections of representatives for the same.— Approved on the 6th of December.

XVIII.—An act to prevent the introduction of spirituous liquors into certain Indian towns.— Approved on the 6th of December.

XIX.—An act regulating the firing of woods, prairies, and other lands.— Approved on the 6th of December.

XX.—An act establishing and regulating the militia.— Approved on the 13th of December.

XXI.—An act defining and regulating privileges in certain cases.— Approved on the 6th of December.

XXII.—An act for allowing compensation to the members of the House of Representatives, who attended to put in nomination the members of the Legislative Council, and for defraying the incidental expenses accrued thereon.— Approved on the 13th of December.

XXIII.—An act for the relief of poor persons imprisoned for debt.— Approved on the 13th of December.

XXIV.—An act for opening and regulating public roads and highways.— Approved on the 13th of December.

XXV.—An act levying a territorial tax on land.— Approved on the 19th of December. [By this act the owners of

lands within the territory were taxed, for every hundred acres of first rate land, eighty-five cents; for every hundred acres of second rate land, sixty cents; for every hundred acres of third rate land, twenty-five cents; and so in proportion for a greater or smaller quantity.]

XXVI.—An act to regulate county levies.—Approved on the 19th of December.

XXVII.—An act allowing and regulating prison bounds.—Approved on the 19th of December. [The prison bounds allowed by this act did not extend in any direction more than two hundred yards from the jail.]

XXVIII.—An act for the appointment of county treasurers.—Approved on the 19th of December.

XXIX.—An act for allowing compensation to the members of the Legislative Council and House of Representatives of the territory of the United States northwest of the river Ohio, and to the officers of both Houses.—Approved on the 19th of December. [This act allowed to each member of the Legislature the sum of three dollars, “for each and every day’s attendance on the business of legislation,” and “at the commencement and ending of every session, three dollars for every fifteen miles of the estimated distance, by the most usual road, from his place of residence to the seat of the Assembly.” To the Secretary of the Council, the sum of three dollars per day, “for his services in attending to the business of the Council, and the additional sum of three dollars per day for clerk hire and incidental expenses.” To the Clerk of the House of Representatives, three dollars per day for his services, “and the additional sum of four dollars per day for clerk hire and incidental expenses.” To the Sergeant-at-Arms for both Houses two dollars per day; and to the Door-keeper of each, one dollar and fifty cents per day, during the session.]

XXX.—An act to regulate the enclosing and cultivating of common fields.—Approved on the 19th of December.

XXXI.—An act regulating the fees of the constables in the several counties within this territory.—Approved on the 19th of December.

XXXII.—An act to encourage the killing of wolves.—Approved on the 19th of December.

XXXIII.—An act for the punishment of arson.—Approved on the 19th of December.

XXXIV.—An act for allowing compensation to the Attorney-General of the territory, and to the persons prosecuting the pleas, in behalf of the territory, in the several counties.—Approved on the 19th of December.

XXXV.—An act supplementary to the act entitled “a law for the relief of the poor.”—Approved on the 19th of December.

XXXVI.—An act appropriating moneys for the payment of the debts due from this territory, and making appropriations for the ensuing year.—Approved on the 19th of December.

XXXVII.—An act repealing certain laws and parts of laws.—Approved on the 19th of December.

On the 30th of December, 1799, the President of the United States nominated Charles Willing Byrd to the office of Secretary of the territory of the United States northwest of the river Ohio; and, on the next day the Senate confirmed the nomination.

On the 7th of May, 1800, the President of the United States approved an act of Congress entitled “an act to divide the territory of the United States northwest of the river Ohio into two separate governments.”\* The following copy of this act shall close the introduction to the History of Indiana:

*“Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the 4th day of July next, all that part of the territory of the United States northwest of the Ohio river, which lies to the westward of a line beginning at the Ohio, opposite to the mouth of Kentucky river, and running thence to Fort Recovery, and thence, north, until it shall intersect the territorial line between the United States and Canada, shall, for the purposes of temporary government, constitute a separate territory, and be called the Indiana Territory.*

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\* Laws of the United States, iii. 367.

Sec. 2. And be it further enacted, That there shall be established within the said Territory a government, in all respects similar to that provided by the ordinance of Congress, passed on the thirteenth day of July, one thousand seven hundred and eighty-seven, for the Territory of the United States northwest of the river Ohio; and the inhabitants thereof shall be entitled to, and enjoy, all and singular the rights, privileges and advantages, granted and secured to the people by the said ordinance.

Sec. 3. And be it further enacted, That the officers of the said Territory, who, by virtue of this act, shall be appointed by the President of the United States, by and with the advice and consent of the Senate, shall, respectively, exercise the same powers, perform the same duties, and receive for their services the same compensations, as, by the ordinance aforesaid, and the laws of the United States, have been provided and established for similar officers in the Territory of the United States northwest of the river Ohio. And the duties and emoluments of superintendent of Indian Affairs shall be united with those of Governor: Provided, That the President of the United States shall have power, in the recess of Congress, to appoint and commission all officers herein authorized; and their commissions shall continue in force until the end of the next session of Congress.

Sec. 4. And be it further enacted, That so much of the ordinance for the government of the Territory of the United States northwest of the Ohio river, as relates to the organization of a General Assembly therein, and prescribes the powers thereof, shall be in force and operate in the Indiana Territory, whenever satisfactory evidence shall be given to the Governor thereof, that such is the wish of a majority of the freeholders, notwithstanding there may not be therein five thousand free male inhabitants of the age of twenty-one years and upwards: Provided, That until there shall be five thousand free male inhabitants, of twenty-one years and upwards, in said Territory, the whole number of Representatives to the General Assembly shall not be less than seven, nor more than nine, to be apportioned by the Governor to the several counties in said territory

agreeably to the number of free males of the age of twenty-one years and upwards, which they may respectively contain.

Sec. 5. And be it further enacted, That nothing in this act contained shall be construed so as in any manner to affect the government now in force in the Territory of the United States northwest of the Ohio river, further than to prohibit the exercise thereof within the Indiana Territory, from and after the aforesaid fourth day of July next: Provided, That, whenever that part of the Territory of the United States which lies to the eastward of a line beginning at the mouth of the Great Miami river, and running thence, due north, to the territorial line between the United States and Canada, shall be erected into an independent state, and admitted into the union on an equal footing with the original states, thenceforth said line shall become and remain permanently the boundary line between such state and the Indiana Territory, any thing in this act contained to the contrary notwithstanding.

Sec. 6. And be it further enacted, That, until it shall be otherwise ordered by the Legislatures of the said Territories, respectively, Chillicothe, on Scioto river, shall be the seat of the government of the Territory of the United States northwest of the Ohio river; and that Saint Vincennes, on the Wabash river, shall be the seat of the government for the Indiana Territory."

## APPENDIX.



## APPENDIX.

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### TREATY OF FORT M'INTOSH.

Articles of a treaty concluded at Fort M'Intosh, the twenty-first day of January, one thousand seven hundred and eighty-five, between the Commissioners Plenipotentiary of the United States of America, of the one part, and the sachems and warriors of the Wyandot, Delaware, Chippewa, and Ottawa nations of the other.

The Commissioners Plenipotentiary of the United States in Congress assembled, give peace to the Wyandot, Delaware, Chippewa, and Ottawa nations of Indians, on the following conditions :

ART. 1. Three chiefs, one from among the Wyandot, and two from among the Delaware nations, shall be delivered up to the Commissioners of the United States, to be by them retained till all the prisoners, white and black, taken by the said nations, or any of them, shall be restored.

ART. 2. The said Indian nations do acknowledge themselves and all their tribes to be under the protection of the United States, and of no other sovereign whatsoever.

ART. 3. The boundary line between the United States and the Wyandot and Delaware nations, shall begin at the mouth of the River Cayahoga, and run thence up the said river to the portage between that and the Tuscarawas branch of Muskingum ; then down the said branch to the forks at the crossing place above Fort Lawrence ; then westerly to the portage of the Big Miami, which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in one thousand seven hundred and fifty-two ; then along the said portage to the Great Miami or Ome River, and down the south-east side of the same to its mouth ; thence along the south shore of Lake Erie, to the mouth of Cayahoga, where it began.

ART. 4. The United States allot all the lands contained within the said lines to the Wyandot and Delaware nations, to live and to hunt on, and to such of the Ottawa nation as now live thereon ; saving and reserving for the establishment of trading posts, six miles square at the mouth of Miami or Ome River, and the same at the portage on that branch of the Big Miami which runs into the Ohio, and the same on the lake of Sandusky where the fort formerly stood, and also two miles square on each side of the lower rapids of Sandusky River, which posts and the lands annexed to them, shall be to the use and under the government of the United States.

ART. 5. If any citizen of the United States, or other person, not being an Indian, shall attempt to settle on any of the lands allotted to the Wyandot and Delaware nations in this treaty, except on the lands reserved to the United States in the preceding article, such person shall forfeit the protection of the United States, and the Indians may punish him as they please.

ART. 6. The Indians who sign this treaty, as well in behalf of all their tribes as of themselves, do acknowledge the lands east, south, and west, of the lines described in the third article, so far as the said Indians formerly claimed the same, to belong to the United States; and none of their tribes shall presume to settle upon the same, or any part of it.

ART. 7. The post of Detroit, with a district beginning at the mouth of the River Rosine, on the west end of Lake Erie, and running west six miles up the southern bank of the said river, thence northerly and always six miles west of the strait, till it strikes the Lake St. Clair, shall be also reserved to the sole use of the United States.

ART. 8. In the same manner, the post of Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the use of the United States.

ART. 9. If any Indian or Indians shall commit a robbery or murder on any citizen of the United States, the tribe to which such offenders may belong, shall be bound to deliver them up at the nearest post, to be punished according to the ordinances of the United States.

ART. 10. The Commissioners of the United States, in pursuance of the humane and liberal views of Congress, upon this treaty's being signed, will direct goods to be distributed among the different tribes for their use and comfort.

#### SEPARATE ARTICLE.

It is agreed that the Delaware chiefs, Kelelamand, or Colonel Henry, Hengue Pushees, or the Big Cat, Wicocalind, or Captain White Eyes, who took up the hatchet for the United States, and their families, shall be received into the Delaware nation, in the same situation and rank as before the war, and enjoy their due portions of the lands given to the Wyandot and Delaware nations in this treaty, as fully as if they had not taken part with America, or as any other person or persons in the said nations.

#### WITNESS:

Saml. J. Atlee, } P. Commission-  
Fras. Johnston, } ers.  
Alex. Campbell,  
Jos. Harmar, Lieut. Col. Com't,  
Alex. Lowrey,  
Joseph Nicholas, Interpreter,  
I. Bradford,  
George Slaughter,  
Van Swearingen,  
John Boggs,  
G. Evans,  
D. Luckett.

Go. Clark,  
Richard Butler,  
Arthur Lee,  
Daunghquot, his x mark,  
Abraham Kuhn, his x mark,  
Ottawerreri, his x mark,  
Hobocan, his x mark,  
Walendightun, his x mark,  
Talapoxic, his x mark,  
Wingenum, his x mark,  
Packelant, his x mark,  
Gingewanno, his x mark,  
Waanoos, his x mark,  
Konalawassee, his x mark,  
Shawnaqum, his x mark,  
Quecookkia, his x mark.

#### TREATY OF FORT STANWIX—Page 311.

Articles of a treaty concluded at Fort Stanwix, on the twenty-second day of October, one thousand seven hundred and eighty-four, between Oliver Wolcott, Richard Butler, and Arthur Lee, Commissioners Plenipotentiary from the United States, in Congress assembled, on the one part, and the sachems and warriors of the Six Nations, on the other.

The United States of America give peace to the Senekas, Mohawks, Onondagas, and Cayugas, and receive them into their protection upon the following conditions:

ART. 1. Six hostages shall be immediately delivered to the commissioners by the said nations, to remain in possession of the United States, till all the prisoners, white and black, which were taken by the said Senekas, Mohawks, Onondagas, and Cayugas, or by any of them, in the late war, from among the people of the United States, shall be delivered up.

ART. 2. The Oneida and Tuscarora nations shall be secured in the possession of the lands on which they are settled.

ART. 3. A line shall be drawn, beginning at the mouth of a creek, about four miles east of Niagara, called Oyonwayea, or Johnston's Landing Place, upon the lake, named by the Indians Oswego, and by us Ontario; from thence southerly, in a direction always four miles east of the carrying path, between lake Erie and Ontario, to the mouth of Tehoseron, or Buffalo creek, on Lake Erie; thence south, to the north boundary of the state of Pennsylvania; thence west, to the end of the said north boundary; thence south, along the west boundary of the said state, to the river Ohio; the said line, from the mouth of the Oyonwayea to the Ohio, shall be the western boundary of the lands of the Six Nations; so that the Six Nations shall and do yield to the United States, all claims to the country west of the said boundary; and then they shall be secured in the peaceful possession of the lands they inhabit, east and north of the same, reserving only six miles square, round the fort of Oswego, to the United States, for the support of the same.

ART. 4. The commissioners of the United States, in consideration of the present circumstances of the Six Nations, and in execution of the humane and liberal views of the United States, upon the signing of the above articles, will order goods to be delivered to the said Six Nations, for their use and comfort.

Oliver Wolcott,  
Richard Butler,  
Arthur Lee,

## MOHAWKS.

Onogwendahonji, his x mark,  
Toughnatogon, his x mark.

## ONONDAGAS.

Oheadarighton, his x mark,  
Kendarindgon, his x mark,

## SENEKAS.

Tayagonendagighti, his x mark,  
Tehonwaeaghrigagi, his x mark,

## ONEIDAS.

Otyadonenghti, his x mark,  
Dagaheari, his x mark,

## CAYUGA.

Oraghgoanendagen, his x mark,

## TUSCARORAS.

Ononghsawenghti, his x mark,  
Tharondawagon, his x mark,

## SENEKA ABEAL.

Kayenthoghke, his x mark.

## WITNESSES.

Sam. Jo. Atlee,	}	Pennsylvania Com- missioners.
Wm. Maclay,		
Fras. Johnson,		
Aaron Hill,		
Alexander Campbell,		
Saml. Kirkland, Missionary,		
James Dean,		
Saml. Montgomery,		
Derick Lane, Capt.,		
John Mercer, Lieut.,		
William Pennington, Lieut.,		
Mahlon Hord, Ensign,		
Hugh Peebles.		

## B—Page 199.

## AN ORDINANCE, ETC.

An ordinance for ascertaining the mode of disposing of lands in the Western Territory.

Be it ordained by the United States in Congress assembled, That the territory ceded by individual states, to the United States, which has been purchased of the Indian inhabitants, shall be disposed of in the following manner :

A surveyor from each state shall be appointed by Congress, or a committee of the States, who shall take an oath for the faithful discharge of his duty, before the geographer of the United States, who is hereby empowered and directed to administer the same; and the like oath shall be administered to each chain-carrier, by the surveyor under whom he acts.

The geographer, under whose direction the surveyors shall act, shall occasionally form such regulations for their conduct, as he shall deem necessary; and shall have authority to suspend them for misconduct in office, and shall make report of the same to Congress, or to the committee of the States; and he shall make report in case of sickness, death, or resignation, of any surveyor.

The surveyors, as they are respectively qualified, shall proceed to divide the said territory into townships of six miles square, by lines running due north and south, and others crossing these at right angles, as near as may be, unless where the boundaries of the late Indian purchases may render the same impracticable, and then they shall depart from this rule no farther than such particular circumstances may require. And each surveyor shall be allowed and paid at the rate of two dollars for every mile in length he shall run, including the wages of chain-carriers, markers, and every other expense attending the same.

The first line running north and south as aforesaid, shall begin on the River Ohio, at a point that shall be found to be due north from the western termination of a line which has been run as the southern boundary of the State of Pennsylvania: and the first line running east and west, shall begin at the same point, and shall extend throughout the whole territory; provided, that nothing herein shall be construed, as fixing the western boundary of the State of Pennsylvania. The geographer shall designate the townships or fractional parts of townships, by numbers, progressively, from south to north; always beginning each range with No. 1; and the ranges shall be distinguished by their progressive numbers to the westward. The first range, extending from the Ohio to the Lake Erie, being marked No. 1. The geographer shall personally attend to the running of the first east and west line; and shall take the latitude of the extremes of the first north and south line, and of the mouths of the principal rivers.

The lines shall be measured with a chain; shall be plainly marked by chops on the trees, and exactly described on a plat; whereon shall be noted by the surveyor, at their proper distances, all mines, salt springs, salt licks, and mill seats, that shall come to his knowledge; and all water courses, mountains, and other remarkable and permanent things, over or near which such lines shall pass, and also the quality of the lands.

The plats of the townships, respectively, shall be marked, by subdivisions, into lots of one mile square, or 640 acres, in the same direction as the external lines, and numbered from 1 to 36; always beginning the succeeding range of the lots with the number next to that with which the preceding one concluded. And where, from the causes beforementioned, only a fractional part of a township shall be surveyed, the lots protracted thereon shall bear the same numbers as if the township had been entire. And the surveyors, in running the external lines of the townships shall, at the interval of every mile, mark corners for the lots which are adjacent, always designating the same in a different manner from those of the townships.

The geographer and surveyors shall pay the utmost attention to the variation of the magnetic needle, and shall run and note all lines by the true meridian, certifying with every plat what was the variation at the times of running the lines thereon noted.

As soon as seven ranges of townships, and fractional parts of townships, in the direction from south to north, shall have been surveyed, the geographer shall transmit plats thereof to the board of treasury, who shall record the same, with the report, in well bound books to be kept for that purpose. And the geographer shall make similar returns, from time to time, of every seven ranges, as they may be surveyed. The secretary of war shall have recourse thereto, and shall take by lot therefrom a number of townships and fractional parts of townships, as well from those to be sold entire, as from those to be sold in lots, as will be equal to one-seventh part of the whole of such seven ranges, as nearly as may be, for the use of the late continental army; and he shall make a similar draught, from time to time, until a sufficient quantity is drawn to satisfy the same, to be applied in manner hereinafter directed. The board of treasury shall, from time to time, cause the remaining numbers, as well those to be sold entire as those to be sold in lots, to be drawn for, in the name of the thirteen states, respectively, according to the quotas in the last preceding requisition on all the states: provided, that in case more land than its proportion is allotted for sale in any state at any distribution, a deduction be made therefor at the next.

The board of treasury shall transmit a copy of the original plats, previously noting thereon the townships and fractional parts of townships, which shall have fallen to the several states, by the distribution aforesaid, to the commissioners of the loan office of the several states, who, after giving notice of not less than two, nor more than six months, by causing advertisements to be posted up at the court houses or other noted places in every county, and to be inserted in one newspaper published in the states of their residence, respectively, shall proceed to sell the townships or fractional parts of townships, at public vendue, in the following manner, viz: the township or fractional part of a township No. 1, in the first range, shall be sold entire; and No. 2, in the same range, by lots; and thus, in alternate order, through the whole of the first range. The township or fractional part of a township No. 1, in the second range shall be sold by lots; and No. 2, in the same range, entire; and so, in alternate order, through the whole of the second range; and the third range shall be sold in the same manner as the first, and the fourth in the same manner as the second; and thus, alternately, throughout all the ranges: provided, that none of the lands within the said territory be sold under the price of one dollar the acre, to be paid in specie or loan office certificates, reduced to specie value by the scale of depreciation, or certificates of liquidated debts of the United States, including interest, besides the expense of the survey and other charges thereon, which are hereby rated at thirty-six dollars the township, in specie or certificates as aforesaid, and so in the same proportion, for a fractional part of a township or of a lot, to be paid at the time of sales, on failure of which payment the said lands shall again be offered for sale.

There shall be reserved for the United States out of every township, the four lots, being numbered 8, 11, 26, 29, and out of every fractional part of a township, so many lots of the same numbers as shall be found thereon, for future sale. There shall be reserved the lot No. 16, of every township, for the maintenance of public schools within the said township; also, one-third part of all gold, silver, lead, and copper mines, to be sold, or otherwise disposed of, as Congress shall hereafter direct.

When any township or fractional part of a township, shall have been sold as aforesaid, and the money or certificates received therefor, the loan officer shall deliver a deed in the following terms:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, that for the consideration of — dollars, we have granted, and hereby do grant and confirm, unto —, the township (or fractional part of the township, as the case may be) numbered —, in the range —, excepting therefrom, and reserving, one-third part of all gold, silver, lead, and copper mines, within the same; and the lots no 8, 11, 26, and 29, for future sale or disposition, and the lot No 16, for the maintenance of public schools. To have to the said —, his heirs and assigns, forever; (or, if more than one purchaser, to the said —, their heirs and assigns, forever, as tenants in common.) In witness whereof, A. B. commissioner of the loan office in the State of —, hath, in conformity to the ordinance passed by the United States, in Congress assembled, the twentieth day of May, in the year of our Lord 1785, hereunto set his hand and affixed his seal, this — day of —, in the year of our Lord —, and of the independence of the United States of America —.

And when any township, or fractional part of a township, shall be sold by lots as aforesaid, the commissioner of the loan office shall deliver a deed therefor in the following form:

The United States of America, to all to whom these presents shall come, greeting:

Know ye, that for the consideration of — dollars, we have granted and hereby do grant and confirm, unto —, the lot (or lots, as the case may be) numbered —, in the township or fractional part of the township, as the case may be) numbered —, in the range —, excepting and reserving one third part of all gold, silver, lead, and copper mines, within the same, for future sale or disposition. To have to the said —, his heirs and assigns, forever; (or, if more than one purchaser, to the said —, their heirs and assigns, forever, as tenants in common.) In witness whereof, A. B. commissioner of the continental loan office in the State of —, hath, in conformity to the ordinance passed by the United States in Congress assembled, the twentieth day of May, in the year of our Lord 1785, hereunto set his hand and affixed his seal, this — day of —, in the year of our Lord —, and of the independence of the United States of America —.

Which deeds shall be recorded in proper books, by the commissioner of the loan office, and shall be certified to have been recorded, previous to their being delivered to the purchaser, and shall be good and valid to convey the lands in the same described.

The commissioners of the loan offices, respectively, shall transmit to the board of treasury, every three months, an account of the townships, fractional parts of townships, and lots, committed to their charge; specifying therein the names of the persons to whom sold, and the sums of money or certificates received for the same; and shall cause all certificates by them received, to be struck through with a circular punch; and they shall be duly charged in the books of the treasury with the amount of the moneys or certificates, distinguishing the same, by them received as aforesaid.

If any township, or fractional part of a township or lot, remains unsold for eighteen months after the plat shall have been received by the commissioners of the loan office, the same shall be returned to the board of treasury, and shall be sold in such manner as Congress may hereafter direct.

And whereas Congress, by their resolutions of September 16th and 18th, in the year 1776, and the 12th of August, 1780, stipulated grants of land to certain officers and soldiers of the late continental army, and by the resolution of the 22d September, 1780, stipulated grants of land to certain officers in the hospital department of the late continental army; for complying, therefore, with such engagements, be it ordained, that the Secretary of War, from the returns in his office, or such other sufficient evidence as the nature of the case may admit, determine who are the objects of the above resolutions and engagements, and the quantity of land to which such persons or their representatives are, respectively, entitled, and cause the townships or fractional parts of townships, herein before reserved

for the use of the late continental army, to be drawn for in such manner as he shall deem expedient, to answer the purpose of an impartial distribution. He shall, from time to time, transmit certificates to the commissioners of the loan offices of the different states, to the lines of which the military claimants have respectively belonged, specifying the name and rank of the party, the terms of his engagement and time of his service, and the division, brigade, regiment, or company, to which he belonged, the quantity of land he is entitled to, and the township or fractional part of a township and range out of which his portion is to be taken.

The commissioners of the loan offices shall execute deeds for such undivided proportions, in manner and form herein before mentioned, varying only in such a degree as to make the same conformable to the certificate from the secretary of war.

Where any military claimants of bounty in lands shall not have belonged to the line of any particular state, similar certificates shall be sent to the board of treasury, who shall execute deeds to the parties for the same.

The secretary of war, from the proper returns, shall transmit to the board of treasury a certificate, specifying the name and rank of the several claimants of the hospital department of the late continental army, together with the quantity of land each claimant is entitled to, and the township or fractional part of a township and range out of which his portion is to be taken; and thereupon the board of treasury shall proceed to execute deeds to such claimants.

The board of treasury, and the commissioners of the loan offices in the states, shall, within eighteen months, return receipts to the secretary of war, for all deeds which have been delivered, as also all the original deeds which remain in their hands for want of applicants, having been first recorded; which deeds, so returned, shall be preserved in the office, until the parties or their representatives require the same.

And be it further ordained, That three townships adjacent to Lake Erie be reserved, to be hereafter disposed of by Congress, for the use of the officers, men, and others, refugees from Canada, and the refugees from Nova Scotia, who are or may be entitled to grants of land under resolutions of Congress now existing, or which may hereafter be made respecting them, and for such other purposes as Congress may hereafter direct.

And be it further ordained, That the towns of Gnadenhutten, Schoenbrun, and Salem, on the Muskingum, and so much of the lands adjoining to the said towns, with the buildings and improvements thereon, shall be reserved for the sole use of the christian Indians, who were formerly settled there, or the remains of that society, as may, in the judgment of the geographer, be sufficient for them to cultivate.

Saving and reserving always, to all officers and soldiers entitled to lands on the north-west side of the Ohio, by donation or bounty from the Commonwealth of Virginia, and to all persons claiming under them, all rights to which they are so entitled, under the deed of cession executed by the delegates for the State of Virginia, on the 1st day of March, 1784, and the act of Congress accepting the same: and to the end that the said rights may be fully and effectually secured, according to the true intent and meaning of the said deed of cession and act aforesaid, be it ordained, that no part of the land included between the rivers called Little Miami and Scioto, on the north-west side of the River Ohio, be sold, or in any manner alienated, until there shall first have been laid off and appropriated for the said officers and soldiers, and persons claiming under them, the lands they are entitled to, agreeably to the said deed of cession and act of Congress accepting the same.

Done by the United States in Congress assembled, the 20th day of May, in the year of our Lord one thousand seven hundred and eighty-five, and of our sovereignty and independence the ninth.

RICHARD H. LEE, President.

CHARLES THOMSON, Secretary.

## SUPPLEMENT.

A supplement to an ordinance, entitled "An ordinance for ascertaining the mode of disposing of lands in the western territory.

Whereas it is found to be inconvenient to execute that part of the land ordinance, passed May 20, 1785, which directs that certain proportions of lands be allotted to the several states, to be sold by the loan officers in each state. And whereas a sufficient quantity of lands, for satisfying the bounties due to the late army, was set apart by the act of Congress, passed the 22d of October last whereby further drafts for satisfying military bounties in lands from the townships lately surveyed, are become unnecessary :

Be it ordained by the United States in Congress assembled, That so much of the said ordinance, passed May 20, 1785, as ordains that certain parts of the townships therein directed to be surveyed, shall be drawn for in the name of the thirteen states, respectively, according to the quotas in the last preceding requisitions, in all the states, in order that the same be sold by the said loan officers; and also, that the secretary of war shall take by lot from the townships when surveyed, certain proportions of land for the use of the late army, so far as the same may respect further drafts, be and the same are hereby repealed.

Be it further ordained, That the board of treasury be, and they hereby are, authorized and directed, to sell those parts of the seven ranges of townships surveyed in the western territory, which are not already sold or drawn for the use of the late army, in the same manner, on the same conditions, and under the same restrictions and limitations, as were prescribed in the resolutions of Congress of April 21st, 1787, except as to the place of sale, and the daily continuance thereof, which may be so far varied, that the said board may commence the sales at New York or Philadelphia, and adjourn the same from time to time to any part or parts of the United States which they may judge most proper for the purpose.

Be it further ordained, That the secretary of war issue warrants for bounties of land to the several officers and soldiers of the late continental army who may be entitled to such bounties, or to their respective assigns or legal representatives, certifying therein the rank or station of each officer, and the line, regiment, corps, and company, in which the officer or soldier served.

Be it further ordained, That the geographer, by warrant under his hand and seal, appoint one surveyor to each of the two tracts or districts of land set apart for satisfying the said bounties by the act of Congress of the 22d of October last; and that the persons entitled to lands by virtue of warrants issued as aforesaid, shall be at liberty to locate them on any part of the two tracts of lands set apart as aforesaid; provided, that each location and survey shall be bounded on one side by one of the external boundaries of one of the tracts aforesaid, or by some prior survey therein; and the external lines of each survey shall run east and west, north and south, such parts thereof excepted as may border upon a river bounding the district, and the several surveys shall be in squares, unless where restrained by such river, or by the lines of former surveys; and provided also, that in every location there shall be a combination of as many warrants as shall make the same at least six miles square, and no interstices shall be left between surveys less than six miles wide.

Be it further ordained, That each surveyor, upon making any survey, shall protract and lay the same down in a general map, to be kept and preserved, and shall make a record of each survey in a book to be kept for that purpose, and make out and deliver a copy of the survey, certified under his hand, to the proprietor or proprietors thereof and the surveyor shall retain in his hands all warrants by him laid out and located, until he can transmit the same to the board of treasury, which he shall do within one year after laying out the land, certifying thereon, under his hand, that the same is satisfied. That the surveyors to be appointed as herein before directed, shall be entitled to receive, for the services enjoined

them by this ordinance, so much only as shall be allowed and fixed by the governor and judges of the western territory, and shall be liable to be displaced by the geographer for neglect of duty, or other misbehavior; in which case he shall supply any vacancy so happening by a new appointment. That each surveyor who may be appointed under this ordinance, before he enters upon the duties of his office, shall take an oath or affirmation, that he will justly and truly execute the trust reposed in him as surveyor of a district of land in the western territory, according to the best of his skill and understanding, without favor or partiality: which oath or affirmation shall be taken before the governor or either of the judges of the western territory, or one of the justices of the supreme court in any of the United States, and being duly attested, shall be transmitted to the secretary of Congress, to be by him filed of record. That the maps and records before mentioned, shall, at all times, be subject to the orders of Congress, to be removed or deposited wherever they shall direct. That if any officer or soldier, or assignee or grantee of either, shall desire to have their bounty of land allotted in the townships or fractional parts thereof, lately drawn for the army by the secretary of war, out of the first four ranges of townships surveyed west of the Ohio, and shall cause such his desire, in writing, together with his land warrant, to be deposited in the office of the secretary of war, before the first of July, 1789; the said secretary shall cause so much of the said townships which have been drawn for the army, to be drawn for by lot, as will satisfy the warrants so deposited, for which surveys shall be made out and delivered to the several proprietors, signed by the geographer of the United States, which surveys shall be recorded in a book by the geographer, and lodged in the treasury office. And whereas lands are set apart for satisfying military bounties, not only in the said districts and townships, but also within the limits of purchases made by several companies:

Be it further ordained, That the persons who have purchased tracts of the federal lands, shall have credit for so much land as the warrants issued as aforesaid, and delivered by them to the board of treasury, cover; provided, that in no case deductions on account of military bounties shall exceed one-seventh part of the purchase.

Passed July 9, 1788.

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## C—Page 200.

### TREATY AT THE MOUTH OF THE GREAT MIAMI.

Articles of a treaty concluded at the mouth of the Great Miami, on the north-western bank of the Ohio, the 31st day of January, one thousand seven hundred and eighty-six, between the commissioners plenipotentiary of the United States of America, of the one part, and the chiefs and warriors of the Shawanee nation, of the other part.

ART. 1. Three hostages shall be immediately delivered to the commissioners, to remain in the possession of the United States until all the prisoners, white and black, taken in the late war, from among the citizens of the United States, by the Shawanee nation, or by any other Indian or Indians residing in their towns, shall be restored.

ART. 2. The Shawanee nation do acknowledge the United States to be the sole and absolute sovereigns of all the territory ceded to them by a treaty of peace, made between them and the king of Great Britain, the fourteenth day of January, one thousand seven hundred and eighty-four.

ART. 3. If any Indian or Indians of the Shawanee nation, or any other Indian or Indians residing in their towns, shall commit murder or robbery on, or do any injury to, the citi-

zens of the United States, or any of them, that nation shall deliver such offender or offenders to the officer commanding the nearest post of the United States, to be punished according to the ordinances of Congress, and in like manner, any citizen of the United States, who shall do an injury to any Indian of the Shawanee nation, or to any other Indian or Indians residing in their towns, and under their protection, shall be punished according to the laws of the United States.

ART. 4. The Shawanee nation having knowledge of the intention of any nation or body of Indians to make war on the citizens of the United States, or of their counselling together for that purpose, and neglecting to give information thereof to the commanding officer of the nearest post of the United States, shall be considered as parties in such war, and be punished accordingly: and the United States shall, in like manner, inform the Shawanees of any injury designed against them.

ART. 5. The United States do grant peace to the Shawanee nation, and do receive them into their friendship and protection.

ART. 6. The United States do allot to the Shawanee nation, lands within their territory to live and hunt upon, beginning at the south line of the lands allotted to the Wyandot and Delaware nations, at the place where the main branch of the Great Miami, which falls into the Ohio, intersects said line; then down the river Miami, to the fork of that river, next below the old fort which was taken by the French in one thousand seven hundred and fifty-two; thence due west to the river de la Panse; then down that river to the River Wabash; beyond which lines none of the citizens of the United States shall settle, nor disturb the Shawanees in their settlement and possessions. And the Shawanees do relinquish to the United States, all title, or pretence of title, they ever had to the lands east, west, and south, of the east, west, and south lines before described.

ART. 7. If any citizen or citizens of the United States, shall presume to settle upon the lands allotted to the Shawanees by this treaty, he or they shall be put out of the protection of the United States.

In testimony whereof, the parties hereunto have affixed their hands and seals, the day and year first above mentioned.

## WITNESSES:

W. Finney, Maj. B. B.  
Thos. Doyle, Capt. B. B.  
Nathan McDowell, Ensign,  
John Saffenger,  
Henry Govy,  
Kagy Galloway, his x mark,  
John Boggs,  
Sam. Montgomery,  
Daniel Elliott,  
James Rinker,  
Nathl. Smith,  
Tetebockshicka, his x mark,  
Isaac Zane, (Wyandot) his x mark,  
The Half King of the Wyandots, }  
The Crane of the Wyandots, } their x marks,  
Capt. Pipe, of the Delawares, his x mark,  
Capt. Bobongehelas, his x mark,  
Joseph Suffrein, his x mark, or Kemepemo Shawno.  
The Big Cat of the Delawares, his x mark,  
Pierre Droullar.

G. Clark,  
Richard Butler,  
Saml. H. Parsons,  
Aweecony, his x mark,  
Kakawipilathy, his x mark,  
Malunthy, his mark,  
Musquauconocah, his x mark,  
Meanymsecah, his x mark,  
Waupaucowela, his x mark,  
Nihipeewa, his mark,  
Nihinessicoc, his x mark,  
Attest. Alexander Campbell, Sec'y Com'rs.

## D—Page 221.

## ORDINANCE OF JULY 13, 1787.

An Ordinance for the government of the territory of the United States northwest of the river Ohio.

Be it ordained by the United States in Congress assembled, That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and nonresident proprietors in the said territory, dying intestate, shall descend to, and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grand child to take the share of their deceased parent in equal parts among them: and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower, shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed and delivered, by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts and registers shall be appointed for that purpose; and personal property may be transferred by delivery; saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskias, Saint Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs, now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress: he shall reside in the district and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed, from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of such acts and proceedings, every six months, to the secretary of Congress: There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district, such laws of the original states, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress, from time to time, which

laws shall be in force in the district, until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The governor for the time being, shall be commander in chief of the militia, appoint and commission all officers in the same, below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; provided that, for every five hundred free male inhabitants, there shall be one representative, and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the legislature; provided, that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same; provided also, that a freehold in fifty acres of land in the district, having been a citizen of one of the states, and being resident in the district, or the like freehold and two years residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member, to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress; any three of whom to be a quorum: and the members of the council shall be nominated and appointed in the following manner, to wit. As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid: and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term: And every five years.

four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives shall have authority to make laws, in all cases, for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills, having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve, the general assembly, when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office; the governor before the president of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws, and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said territory; to provide, also, for the establishment of states, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original states, at as early a period as may be consistent with the general interest:

It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact, between the original states and the people and states in the said territory, and forever remain unalterable, unless by common consent, to wit:

ART. 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said territory.

ART. 2. The inhabitants of the said territory shall always be entitled to the benefits of the writ of habeas corpus, and of the trial by jury; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offences, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary, for the common preservation, to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared that no law ought ever to be made, or have force in the said territory, that shall, in any manner whatever, interfere with, or affect, private contracts or engagements, bona fide, and without fraud, previously formed.

ART. 3. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time,

be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4. The said territory, and the states which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the articles of confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the said territory shall be subject to pay a part of the federal debts, contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other states; and the taxes for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new states, as in the original states, within the time agreed upon by the United States in Congress assembled. The legislatures of those districts, or new states, shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary, for securing the title in such soil, to the bona fide purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall nonresident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said territory, as to the citizens of the United States, and those of any other states that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ART. 5. There shall be formed in the said territory not less than three, nor more than five states; and the boundaries of the states, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: the western state in the said territory, shall be bounded by the Mississippi, the Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle states shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern state shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: provided, however, and it is further understood and declared, that the boundaries of these three states shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two states in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said states shall have sixty thousand free inhabitants therein, such state shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original states, in all respects whatever; and shall be at liberty to form a permanent constitution and state government; provided the constitution and government, so to be formed, shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the state than sixty thousand.

ART. 6. There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: provided always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original states, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service, as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void. Done, &c.

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TREATIES AT FORT HARMAR.

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WITH THE SIX NATIONS.

Articles of a treaty made at Fort Harmar, the ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine, between Arthur St. Clair, esquire, governor of the territory of the United States of America, northwest of the river Ohio, and commissioner plenipotentiary of the said United States, for removing all causes of controversy, regulating trade, and settling boundaries, between the Indian nations in the northern department and the said United States, of the one part, and the sachems and warriors of the Six Nations, of the other part, viz.

ART. 1. Whereas the United States, in Congress assembled, did, by their commissioners, Oliver Wolcott, Richard Butler and Arthur Lee, esquires, duly appointed for that purpose, at a treaty held with the said Six Nations, viz: with the Mohawks, Oneidas, Onondagas, Tuscaroras, Cayugas, and Senekas, at Fort Stanwix, on the twenty-second day of October one thousand seven hundred and eighty-four, give peace to the said nations, and receive them into their friendship and protection: And whereas the said nations have now agreed to and with the said Arthur St. Clair, to renew and confirm all the engagements and stipulations entered into at the beforementioned treaty at Fort Stanwix: and whereas, it was then and there agreed, between the United States of America and the said Six Nations, that a boundary line should be fixed between the lands of the said Six Nations and the territory of the said United States, which boundary line is as follows, viz: Beginning at the mouth of a creek, about four miles east of Niagara, called Ononwayea, or Johnston's Landing Place, upon the lake named by the Indians Oswego, and by us Ontario; from thence southerly, in a direction always four miles east of the carrying place, between Lake Erie and Lake Ontario, to the mouth of Tehoseroron, or Buffalo creek, upon Lake Erie: thence south, to the northern boundary of the state of Pennsylvania; thence west, to the end of the said north boundary; thence south, along the west boundary of the said state to the river Ohio. The said line, from the mouth of Ononwayea to the Ohio, shall be the western boundary of the lands of the Six Nations, so that the Six Nations shall and do yield to the United States, all claim to the country west of the said boundary; and then they shall be secured in the possession of the lands they inhabit east, north, and south of the same, reserving only six miles square, round the fort of Oswego, for the support of the same. The said Six Nations, except the Mohawks, none of whom have attended at this time, for and in consideration of the peace then granted to them, the presents they then received, as well as in consideration of a quantity of goods, to the value of three thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do hereby renew and confirm the said boundary line in the words beforementioned, to the end that it may be and remain as a division line between the lands of the said Six Nations and the territory of the United States, forever. And the undersigned Indians, as well in their own names as in the name of their respective tribes and nations, their heirs and descendants, for the considerations beforementioned, do release, quit claim, relinquish, and cede, to the United States of America, all the lands west of the

said boundary or division line, and between the said line and the strait, from the mouth of Ononwayea and Buffalo creek, for them, the said United States of America, to have and to hold the same in true and absolute propriety, forever.

ART. 2. The United States of America confirm to the Six Nations, all the lands which they inhabit, lying east and north of the beforementioned boundary line, and relinquish and quit claim to the same and every part thereof, excepting only six miles square round the fort of Oswego, which six miles square round said fort is again reserved to the United States by these presents.

ART. 3. The Oneida and Tuscarora nations are also again secured and confirmed in the possession of their respective lands.

ART. 4. The United States of America renew and confirm the peace and friendship entered into with the Six Nations, (except the Mohawks,) at the treaty beforementioned, held at Fort Stanwix, declaring the same to be perpetual. And if the Mohawks shall, within six months, declare their assent to the same, they shall be considered as included.

Done at Fort Harmar, on the Muskingum, the day and year first above written.

In witness whereof, the parties have hereunto, interchangeably, set their hands and seals.

Ar. St. Clair,

Cageaga, or Dogs round the Fire,

Sawedowa, or The Blast,

Kiondushowa, or Swimming Fish,

Oneahye, or Dancing Feather,

Sohaeas, or Falling Mountain,

Otachsaka, or Broken Tomahawk, his x mark,

Tekahias, or Long Tree, his x mark,

Onechsetee, or Loaded Man, his x mark,

Kiabtulaho, or Snake,

Aqueia, or Bandy Legs,

Kiandogewa, or Big Tree, his x mark,

Owenewa, or Thrown in the Water, his x mark,

Gyantwaia, or Cornplanter, his x mark,

Gyasota, or Big Cross, his x mark,

Kanassee, or New Arrow,

Achiout, or Half Town,

Anachout, or The Wasp, his x mark,

Chishekoa, or Wood Bug, his x mark,

Sessewa, or Big Bale of a Kettle,

Sciahowa, or Council Keeper,

Twanias, or Broken Twig,

Sonachshowa, or Full Moon,

Cachunwasse, or Twenty Canoes,

Hickonquash, or Tearing Assunder.

IN PRESENCE OF

Jos. Harmar, lieut. col. comdg. 1st U. S. Regiment, and brig. gen. by brevet.

Richard Butler,

Jno. Gibson,

Will. M'Curdy, captain,

Ed. Denny, ensign. 1st U. S. Regiment,

A. Hartshorn, ensign,

Robt. Thompson, ensign, 1st U. S. Regiment,

Fran. Leile, ensign,

Josep Nicholas.

## SEPARATE ARTICLE OF THE NEXT PRECEDING TREATY.

Should a robbery or murder be committed by an Indian or Indians of the Six Nations, upon the citizens or subjects of the United States, or by the citizens or subjects of the United States, or any of them, upon any of the Indians of the said nations, the parties accused of the same shall be tried, and if found guilty, be punished according to the laws of the state, or of the territory of the United States, as the case may be, where the same was committed. And should any horses be stolen, either by the Indians of the said nations, from the citizens or subjects of the United States, or any of them, or by any of the said citizens or subjects from any of the said Indians, they may be reclaimed into whose possession soever they may have come; and, upon due proof, shall be restored, any sale in open market notwithstanding; and the persons convicted shall be punished with the utmost severity the laws will admit. And the said nations engage to deliver the persons that may be accused, of their nations, of either of the beforementioned crimes, at the nearest post of the United States, if the crime was committed within the territory of the United States; or to the civil authority of the state, if it shall have happened within any of the United States.

AR. ST. CLAIR.

## WITH THE WYANDOTS, &amp;C.

Articles of a treaty made at Fort Harmar, between Arthur St. Clair, governor of the territory of the United States northwest of the river Ohio, and commissioner plenipotentiary of the United States of America, for removing all causes of controversy, regulating trade and settling boundaries, with the Indian nations in the northern department, of the one part; and the sachems and warriors of the Wyandot, Delaware, Ottawa, Chippewa, Pattawatima, and Sac nations, on the other part.

ART. 1. Whereas, the United States in Congress assembled, did, by their commissioners, George Rogers Clark, Richard Butler, and Arthur Lee, esquires, duly appointed for that purpose, at a treaty holden with the Wyandot, Delaware, Ottawa, and Chippewa nations, at Fort M'Intosh, on the twenty-first day of January, in the year of our Lord one thousand seven hundred and eighty-five, conclude a peace with the Wyandots, Delawares, Ottawas, and Chippewas, and take them into their friendship and protection: And whereas, at the said treaty, it was stipulated that all prisoners that had been made by those nations, or either of them, should be delivered up to the United States. And whereas the said nations have now agreed to, and with the aforesaid Arthur St. Clair, to renew and confirm all the engagements they had made with the United States of America, at the beforementioned treaty, except so far as are altered by these presents. And there are now in the possession of some individuals of these nations, certain prisoners, who have been taken by others not in peace with the said United States, or in violation of the treaties subsisting between the United States and them; the said nations agree to deliver up all the prisoners now in their hands (by what means soever they may have come into their possession) to the said governor St. Clair, at Fort Harmar; or, in his absence, to the officer commanding there, as soon as conveniently may be; and for the true performance of this agreement, they do now agree to deliver into his hands, two persons of the Wyandot nation, to be retained in the hands of the United States as hostages, until the said prisoners are restored; after which they shall be sent back to their nation.

ART. 2. And whereas, at the beforementioned treaty, it was agreed between the United States and said nations, that a boundary line should be fixed between the lands of those nations and the territory of the United States, which boundary is as follows, viz: Beginning

at the mouth of Cayahoga river, and running thence up the said river to the portage between that and the Tuscarawa branch of Muskingum, then down the said branch to the forks at the crossing place above Fort Lawrence, thence westerly to the portage on that branch of the Big Miami river which runs into the Ohio, at the mouth of which branch the fort stood which was taken by the French in the year of our Lord one thousand seven hundred and fifty-two, then along the said portage to the Great Miami or Omie river, and down the southeast side of the same to its mouth; thence along the southern shore of Lake Erie to the mouth of Cayahoga, where it began. And the said Wyandot, Delaware, Ottawa, and Chippewa nations, for and in consideration of the peace then granted to them by the said United States, and the presents they then received, as well as of a quantity of goods to the value of six thousand dollars, now delivered to them by the said Arthur St. Clair, the receipt whereof they do hereby acknowledge, do, by these presents, renew and confirm the said boundary line; to the end that the same may remain as a division line between the lands of the United States of America and the lands of said nations, forever. And the undersigned Indians do hereby, in their own names, and the names of their respective nations and tribes, their heirs and descendants, for the consideration above mentioned, release, quit claim, relinquish, and cede to the said United States, all the land east, south, and west, of the lines above described, so far as the said Indians formerly claimed the same; for them the said United States to have and to hold the same, in true and absolute propriety, forever.

ART. 3. The United States of America do, by these presents, relinquish and quit claim to the said nations respectively, all the lands lying between the limits above described, for them, the said Indians, to live and hunt upon, and otherwise to occupy as they shall see fit: but the said nations, or either of them, shall not be at liberty to sell or dispose of the same, or any part thereof, to any sovereign power, except the United States; nor to the subjects or citizens of any other sovereign power, nor to the subjects or citizens of the United States.

ART. 4. It is agreed between the said United States and the said nations, that the individuals of said nations shall be at liberty to hunt within the territory ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury or annoyance to any of the subjects or citizens of the said United States.

ART. 5. It is agreed, that, if any Indian or Indians, of the nations beforementioned, shall commit a murder or robbery on any of the citizens of the United States, the nation or tribe to which the offender belongs, on complaint being made, shall deliver up the person or persons complained of, at the nearest post of the United States; to the end that he or they may be tried, and, if found guilty, punished according to the laws established in the territory of the United States northwest of the river Ohio, for the punishment of such offences, if the same shall have been committed within the said territory; or according to the laws of the state where the offence may have been committed, if the same has happened in any of the United States. In like manner, if any subject or citizen of the United States shall commit murder or robbery, on any Indian or Indians of the said nations, upon complaint being made thereof, he or they shall be arrested, tried, and punished agreeable to the laws of the state, or of the territory wherein the offence was committed; that nothing may interrupt the peace and harmony now established between the United States and said nations.

ART. 6. And whereas the practice of stealing horses has prevailed very much, to the great disquiet of the citizens of the United States, and, if persisted in, cannot fail to involve both the United States of America and the Indians in endless animosity, it is agreed that it shall be put an entire stop to on both sides; nevertheless, should some individuals,

in defiance of this agreement, and of the laws provided against such offences, continue to make depredations of that nature, the person convicted thereof shall be punished with the utmost severity the laws of the respective states, or territory of the United States northwest of the Ohio, where the offence may have been committed, will admit of: and all horses so stolen, either by the Indians from the citizens or subjects of the United States, or by the citizens or subjects of the United States from any of the Indian nations, may be reclaimed, into whose possession soever they may have passed, and, upon due proof, shall be restored; any sales in market overt, notwithstanding. And the civil magistrates in the United States respectively, and in the territory of the United States northwest of the Ohio, shall give all necessary aid and protection to Indians claiming such stolen horses.

ART. 7. Trade shall be opened with the said nations, and they do hereby respectively engage to afford protection to the persons and property of such as may be duly licensed to reside among them for the purposes of trade, and to their agents, factors, and servants; but no person shall be permitted to reside at their towns, or at their hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and seal of the governor of the territory of the United States northwest of the Ohio, for the time being, or under the hand and seal of one of his deputies for the management of Indian affairs; to the end that they may not be imposed upon in their traffic. And if any person or persons shall intrude themselves without such license, they promise to apprehend him or them, and to bring them to the said governor, or one of his deputies, for the purpose before mentioned, to be dealt with according to law; and that they may be defended against persons who might attempt to forge such licenses, they further engage to give information to the said governor, or one of his deputies, of the names of all traders residing among them, from time to time, and at least once in every year.

ART. 8. Should any nation of Indians meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before mentioned nations, or either of them, they do hereby engage to give immediate notice thereof to the governor, or, in his absence, to the officer commanding the troops of the United States at the nearest post. And should any nation, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt to the said governor or commanding officer, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States: in like manner, the United States shall give notice to the said Indian nations, of any harm that may be meditated against them, or either of them, that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

ART. 9. If any person or persons, citizens or subjects of the United States, or any other person not being an Indian, shall presume to settle upon the lands confirmed to the said nations, he and they shall be out of the protection of the United States, and the said nations may punish him or them in such manner as they see fit.

ART. 10. The United States renew the reservations heretofore made in the before mentioned treaty at fort M'Intosh, for the establishment of trading posts, in manner and form following; that is to say: six miles square at the mouth of the Miami or Omie rivers; six miles square at the portage upon that branch of the Miami which runs into the Ohio; six miles square upon the lake Sandusky, where the fort formerly stood; and two miles square upon each side the Lower Rapids, on Sandusky river; which posts, and the lands annexed to them, shall be for the use and under the government of the United States.

ART. 11. The post at Detroit, with a district of land beginning at the mouth of the river Rosine, at the west end of lake Erie, and running up the southern bank of said river six miles; thence northerly, and always six miles west of the strait, until it strikes the lake St. Clair, shall be reserved for the use of the United States.

ART. 12. In like manner, the post at Michilimackinac, with its dependencies, and twelve miles square about the same, shall be reserved to the sole use of the United States.

ART. 13. The United States of America do hereby renew and confirm the peace and friendship entered into with the said nations, at the treaty before mentioned, held at Fort M'Intosh; and the said nations again acknowledge themselves, and all their tribes, to be under the protection of the said United States, and no other power whatever.

ART. 14. The United States of America do also receive into their friendship and protection, the nations of Pattawatimas and Sacs; and do hereby establish a league of peace and amity between them respectively; and all the articles of this treaty, so far as they apply to these nations, are to be considered as made and concluded in all, and every part, expressly with them and each of them.

ART. 15. And whereas, in describing the boundary before mentioned, the words, if strictly constructed, would carry it from the portage on that branch of the Miami which runs into the Ohio, over to the river Auglaize; which was neither the intention of the Indians, nor of the commissioners; it is hereby declared, that the line shall run from the said portage directly to the first fork of the Miami river, which is to the southward and eastward of the Miami village, thence down the main branch of the Miami river to the said village, and thence down that river to lake Erie, and along the margin of the lake to the place of beginning.

Done at Fort Harmar, on the Muskingum, this ninth day of January, in the year of our Lord one thousand seven hundred and eighty-nine.

In witness whereof, the parties have hereunto interchangeably set their hands and seals.

Ar. St. Clair,

L. S.

Peoutewatamie, his x mark,

Konatikina, his x mark,

*Sacs.*

Tepakee, his x mark,

Kesheyiva, his x mark,

*Chippewas.*

Mesass, his x mark,

Paushquash, his x mark,

Pawasicko, his x mark,

*Ottawas.*

Wewiskia, his x mark,

Neagey, his x mark,

*Pattawatimas.*

Windigo, his x mark,

Wapaskea, his x mark,

Nequea, his x mark,

*Delawares.*

Captain Pipe, his x mark,

Wingenond, his x mark,

Pekelan, his x mark,

Teataway, his x mark,

*Chippewas.*

Nanamakeak, his x mark,

Wetenasa, his x mark,

Soskene, his x mark,

Pewanakum, his x mark,

*Wyandots.*

Teyandatontec, his x mark,

Cheyawe, his x mark,

Doueyentec, his x mark,

Tarhe, his x mark,

Terhataw, his x mark,

Datasay, his x mark,

Maudoronk, his x mark,

Skahomat, his x mark.

IN PRESENCE OF

Jos. Harmar, Lieut. Col. Com't. first U. S. Reg't. and Brig. Gen. by brevet.

Richard Butler,

Jno. Gibson,

Will. M'Curdy, Capt.

E. Denny, Ens. first U. S. Reg't.

A. Hartshorn, Ensign,

Robt. Thompson, Ensign first U. S. Reg't.

Frans. Luse, Ensign,

J. Williams, jun:

William Wilson,

Joseph Nicholas,

James Rinken:

Be it remembered, that the Wyandots have laid claim to the lands that were granted to the Shawannces at the treaty held at the Miami; and have declared, that as the Shawannees have been so restless, and caused so much trouble, both to them and the United States, if they will not now be at peace, they will dispossess them, and take the country into their own hands; for that the country is theirs of right, and the Shawannees are only living upon it by their permission. They further lay claim to all the country west of the Miami boundary, from the village to the lake Erie, and declare that it is now under their management and direction.

#### SEPARATE ARTICLE.

Whereas the Wyandots have represented, that within the reservation from the river Rosine, along the strait, they have two villages from which they cannot, with any convenience remove; it is agreed, that they shall remain in possession of the same, and shall not be in any manner disturbed therein.

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#### TREATY OF GREENVILLE.

A treaty of peace between the United States of America, and the tribes of Indians called the Wyandots, Delawares, Shawannees, Ottawas, Chippewas, Pattawatimas, Miamis, Eel Rivers, Weas, Kickapoos, Piankeshaws, and Kaskaskias.

To put an end to a destructive war, to settle all controversies, and to restore harmony and friendly intercourse between the said United States and Indian tribes, Anthony Wayne, Major General, commanding the army of the United States, and sole commissioner for the good purposes above mentioned, and the said tribes of Indians, by their sachems, chiefs, and warriors, met together at Greenville, the head quarters of the said army, have agreed on the following articles, which, when ratified by the president, with the advice and consent of the senate of the United States, shall be binding on them and the said Indian tribes.

ART. 1. Henceforth all hostilities shall cease; peace is hereby established, and shall be perpetual; and a friendly intercourse shall take place between the said United States and Indian tribes.

ART. 2. All prisoners shall, on both sides, be restored. The Indians, prisoners to the United States, shall be immediately set at liberty. The people of the United States, still remaining prisoners among the Indians, shall be delivered up in ninety days from the date hereof, to the general or commanding officer at Greenville, Fort Wayne, or Fort Defiance, and ten chiefs of the said tribes shall remain at Greenville as hostages, until the delivery of the prisoners shall be effected.

ART. 3. The general boundary line between the lands of the United States and the lands of the said Indian tribes, shall begin at the mouth of Cayahoga river, and run thence up the same to the portage, between that and the Tuscarawas branch of the Muskingum, thence down that branch to the crossing place above Fort Lawrence, thence westerly to a fork of that branch of the great Miami river, running into the Ohio, at or near which fork stood Loromie's store, and where commences the portage between the Miami of the Ohio, and St. Mary's river, which is a branch of the Miami which runs into lake Erie; thence a westerly course to Fort Recovery, which stands on a branch of the Wabash; thence south-westerly in a direct line to the Ohio, so as to intersect that river opposite the mouth of Kentucke or Cuttawa river. And in consideration of the peace now established; of the goods formerly received from the United States; of those now to be delivered; and of the

yearly delivery of goods now stipulated to be made hereafter; and to indemnify the United States for the injuries and expenses they have sustained during the war, the said Indian tribes do hereby cede and relinquish forever, all their claims to the lands lying eastwardly and southwardly of the general boundary line now described; and these lands, or any part of them, shall never hereafter be made a cause or pretence, on the part of the said tribes, or any of them, of war or injury to the United States, or any of the people thereof.

And for the same considerations, and as an evidence of the returning friendship of the said Indian tribes, of their confidence in the United States, and desire to provide for their accommodation, and for that convenient intercourse which will be beneficial to both parties, the said Indian tribes do also cede to the United States the following pieces of land, to-wit: 1. One piece of land six miles square, at or near Loromie's store, before mentioned. 2. One piece two miles square, at the head of the navigable water or landing, on the St. Mary's river, near Girty's town. 3. One piece six miles square, at the head of the navigable water of the Auglaize river. 4. One piece six miles square, at the confluence of the Auglaize and Miami rivers, where Fort Defiance now stands. 5. One piece six miles square, at or near the confluence of the rivers St. Mary's and St. Joseph's, where Fort Wayne now stands, or near it. 6. One piece two miles square, on the Wabash river, at the end of the portage from the Miami of the lake, and about eight miles westward from Fort Wayne. 7. One piece six miles square, at the Ouatanon, or old Wea towns, on the Wabash river. 8. One piece twelve miles square, at the British fort on the Miami of the lake, at the foot of the rapids. 9. One piece six miles square, at the mouth of the said river, where it empties into the lake. 10. One piece six miles square, upon Sandusky lake, where a fort formerly stood. 11. One piece two miles square, at the lower rapids of Sandusky river. 12. The post of Detroit, and all the land to the north, the west, and the south of it, of which the Indian title has been extinguished by gifts or grants to the French or English governments: and so much more land to be annexed to the district of Detroit, as shall be comprehended between the river Rosine, on the south, lake St. Clair on the north, and a line, the general course whereof shall be six miles distant from the west end of lake Erie and Detroit river. 13. The post of Michilimackinac, and all the land on the island on which that post stands, and the main land adjacent, of which the Indian title has been extinguished by gifts or grants to the French or English governments; and a piece of land on the main to the north of the island, to measure six miles, on lake Huron, or the strait between lakes Huron and Michigan, and to extend three miles back from the water of the lake or strait; and also, the island De Bois Blanc, being an extra and voluntary gift of the Chippewa nation. 14. One piece of land six miles square, at the mouth of Chikago river, emptying into the southwest end of lake Michigan, where a fort formerly stood. 15. One piece twelve miles square, at or near the mouth of the Illinois river, emptying into the Mississippi. 16. One piece six miles square, at the old Piorias fort and village, near the south end of the Illinois lake, on said Illinois river. And whenever the United States shall think proper to survey and mark the boundaries of the lands hereby ceded to them, they shall give timely notice thereof to the said tribes of Indians, that they may appoint some of their wise chiefs to attend and see that the lines are run according to the terms of this treaty.

And the said Indian tribes will allow to the people of the United States a free passage by land and by water, as one and the other shall be found convenient, through their country, along the chain of posts hereinbefore mentioned; that is to say, from the commencement of the portage aforesaid, at or near Loromie's store, thence along said portage to the Saint Mary's, and down the same to Fort Wayne, and then down the Miami to lake Erie; again, from the commencement of the portage at or near Loromie's store along the portage from thence to the river Auglaize, and down the same to its junction with the Miami at Fort Defiance; again, from the commencement of the portage aforesaid, to Sandusky river, and down the same to Sandusky bay and lake Erie, and from Sandusky to the post which shall

be taken at or near the foot of the rapids of the Miami of the lake; and from thence to Detroit. Again, from the mouth of Chicago, to the commencement of the portage, between that river and the Illinois, and down the Illinois river to the Mississippi; also, from Fort Wayne, along the portage aforesaid, which leads to the Wabash, and then down the Wabash to the Ohio. And the said Indian tribes will also allow to the people of the United States, the free use of the harbors and mouths of rivers along the lakes adjoining the Indian lands, for sheltering vessels and boats, and liberty to land their cargoes where necessary for their safety.

ART. 4. In consideration of the peace now established, and of the cessions and relinquishments of lands made in the preceding article by the said tribes of Indians, and to manifest the liberality of the United States, as the great means of rendering this peace strong and perpetual, the United States relinquish their claims to all other Indian lands northward of the river Ohio, eastward of the Mississippi, and westward and southward of the Great Lakes and the waters uniting them, according to the boundary line agreed on by the United States and the king of Great Britain, in the treaty of peace made between them in the year 1783. But from this relinquishment by the United States, the following tracts of land are explicitly excepted. 1st. The tract of one hundred and fifty thousand acres near the rapids of the river Ohio, which has been assigned to General Clark, for the use of himself and his warriors. 2d. The post of St. Vincennes, on the river Wabash, and the lands adjacent, of which the Indian title has been extinguished. 3d. The lands at all other places in possession of the French people and other white settlers among them, of which the Indian title has been extinguished as mentioned in the third article. And, 4th, The post of Fort Massac towards the mouth of the Ohio. To which several parcels of land so excepted, the said tribes relinquish all the title and claim which they or any of them may have.

And for the same considerations and with the same views as above mentioned, the United States now deliver to the said Indian tribes a quantity of goods to the value of twenty thousand dollars, the receipt whereof they do hereby acknowledge, and henceforward, every year, forever, the United States will deliver, at some convenient place northward of the river Ohio, like useful goods, suited to the circumstances of the Indians, of the value of nine thousand five hundred dollars; reckoning that value at the first cost of the goods in the city or place in the United States where they shall be procured. The tribes to which those goods are to be annually delivered, and the proportions in which they are to be delivered are the following :

1st. To the Wyandots, the amount of one thousand dollars. 2d. To the Delawares, the amount of one thousand dollars. 3d. To the Shawanees, the amount of one thousand dollars. 4th. To the Miamis, the amount of one thousand dollars. 5th. To the Ottawas, the amount of one thousand dollars. 6th. To the Chippewas, the amount of one thousand dollars. 7th. To the Pottawatimas, the amount of one thousand dollars. 8th. And to the Kickapoo, Wea, Eel River, Piankeshaws, and Kaskaskia tribes, the amount of five hundred dollars each.

Provided, that if either of the said tribes shall hereafter, at an annual delivery of their share of the goods aforesaid, desire that a part of their annuity should be furnished in domestic animals, implements of husbandry, and other utensils convenient for them, and in compensation to useful artificers who may reside with or near them, and be employed for their benefit, the same shall, at the subsequent annual deliveries, be furnished accordingly.

ART. 5. To prevent any misunderstanding about the Indian lands relinquished by the United States in the 4th article, it is now explicitly declared, that the meaning of that relinquishment is this : the Indian tribes who have a right to those lands, are quietly to enjoy them, hunting, planting, and dwelling thereon, so long as they please, without any molestation from the United States; but when those tribes, or any of them, shall be disposed to sell their lands, or any part of them, they are to be sold only to the United States; and

until such sale, the United States will protect all the said Indian tribes in the quiet enjoyment of their lands against all citizens of the United States, and against all other white persons who intrude upon the same. And the said Indian tribes again acknowledge themselves to be, under the protection of the said United States, and no other power whatever.

ART. 6. If any citizen of the United States, or any other white person or persons, shall presume to settle upon the lands now relinquished by the United States, such citizen or other person shall be out of the protection of the United States; and the Indian tribe, on whose land the settlement shall be made, may drive off the settler, or punish him in such manner as they shall think fit; and because such settlements, made without the consent of the United States, will be injurious to them as well as to the Indians, the United States shall be at liberty to break them up, and remove and punish the settlers as they shall think proper, and so effect that protection of the Indian lands herein before stipulated.

ART. 7. The said tribes of Indians parties to this treaty, shall be at liberty to hunt within the territory and lands which they have now ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably, and offer no injury to the people of the United States.

ART. 8. Trade shall be opened with the said Indian tribes; and they do hereby respectively engage to afford protection to such persons, with their property, as shall be duly licensed to reside among them for the purpose of trade, and to their agents and servants; but no person shall be permitted to reside at any of their towns or hunting camps, as a trader, who is not furnished with a license for that purpose, under the hand and seal of the superintendent of the department northwest of the Ohio, or such other person as the president of the United States shall authorize to grant such license; to the end, that the said Indians may not be imposed on in their trade. And if any licensed trader shall abuse his privilege by unfair dealing, upon complaint and proof thereof, his license shall be taken from him, and he shall be further punished according to the laws of the United States.— And if any person shall intrude himself as a trader, without such license, the said Indians shall take and bring him before the superintendent, or his deputy, to be dealt with according to law. And to prevent impositions by forged licenses, the said Indians shall, at least once a year, give information to the superintendent, or his deputies, of the names of the traders residing among them.

ART. 9. Lest the firm peace and friendship now established, should be interrupted by the misconduct of individuals, the United States, and the said Indian tribes agree, that for injuries done by individuals on either side, no private revenge or retaliation shall take place; but instead thereof, complaint shall be made by the party injured, to the other: by the said Indian tribes, or any of them, to the president of the United States, or the superintendent by him appointed; and by the superintendent or other person appointed by the president, to the principal chiefs of the said Indian tribes, or of the tribe to which the offender belongs; and such prudent measures shall then be pursued as shall be necessary to preserve the said peace and friendship unbroken, until the legislature (or great council) of the United States, shall make other equitable provision in the case, to the satisfaction of both parties. Should any Indian tribes meditate a war against the United States, or either of them, and the same shall come to the knowledge of the before mentioned tribes, or either of them, they do hereby engage to give immediate notice thereof to the general, or officer commanding the troops of the United States, at the nearest post. And should any tribe, with hostile intentions against the United States, or either of them, attempt to pass through their country, they will endeavor to prevent the same, and in like manner give information of such attempt, to the general, or officer commanding, as soon as possible, that all causes of mistrust and suspicion may be avoided between them and the United States. In like manner the United States shall give notice to the said Indian tribes of any harm that may be meditated against them, or either of them

that shall come to their knowledge; and do all in their power to hinder and prevent the same, that the friendship between them may be uninterrupted.

ART. 10. All other treaties heretofore made between the United States and the said Indian tribes, or any of them, since the treaty of 1783, between the United States and Great Britain, that come within the purview of this treaty, shall henceforth cease and become void.

In testimony whereof, the said Anthony Wayne, and the sachems and war chiefs of the before mentioned nations and tribes of Indians, have hereunto set their hands and affixed their seals.

Done at Greenville, in the territory of the United States northwest of the river Ohio, on the third day of August, one thousand seven hundred and ninety-five.

Anthony Wayne,	[L. S.]	Hahgooseeaw, or Capt. Reed, his x mark,
WYANDOTS.		OTTAWA.
Tarhe, or Crane, his x mark,		Chegonickska, (an Ottawa from Sandusky)
J: Williams, jun. his x mark,		[his x mark,
Teyyaghtaw, his x mark,		PATTAWATIMAS OF THE RIVER ST. JOSEPH.
Haroenyou, or half king's son, his x mark,		Thupeneba, his mark,
Tehaawtorens, his x mark,		Nawac, (for himself and brother Etsimethe)
Awmeyeeray, his x mark,		[his mark,
Stayetah, his x mark,		Nenanseka, his x mark,
Shateyyaronyah, or Leather Lips, his x		Keecass, or Sun, his x mark,
Daughshuttayah, his x mark,	[mark,	Kabamasaw, (for himself and brother Chi-
Shaawrunthe, his x mark,		saugan,) his x mark,
DELAWARES.		Sugganunk, his x mark,
Tetabokshke, or Grand Glaize King, his x		Wapmeme, or White Pigeon, his x mark,
[mark,		Wacheness, (for himself and brother Peda-
Lemantanquis, or Black King, his x mark,		goshok,) his x mark,
Wabathhoe, his x mark,		Wabshicawnaw, his x mark,
Maghipiway, or Red Feather, his x mark,		La Chasse, his x mark,
Kikthawenund, or Anderson, his x mark,		Meshegethenogh, (for himself and brother
Bukongehelas, his x mark,		Wawasek,) his x mark,
Peekeelund, his x mark,		Hingoswash, his x mark,
Wellebawkeelund, his x mark,		Anewasaw, his x mark,
Peekeetelemund, or Thomas Adams, his x		Nawbudgh, his x mark,
[mark,		Missenogomaw, his x mark,
Kishkopekund, or Capt Buffalo, his x mark,		Waweegshe, his x mark,
Amenahahan, or Capt Crow, his x mark,		Thawme, or Le Blanc, his x mark,
Queshawcksey, or George Washington, his x		Geeque, (for himself and brother She-
[mark,		winse,) his x mark,
Weywinquis, or Billy Siscomb, his x mark,		PATTAWATIMAS OF HURON.
Moses, his x mark,		Okia, his x mark,
SHAWANEES,		Chamung, his x mark,
Misquaconacaw, or Red Pole, his x mark,		Segagewan, his x mark,
Cutthewekasaw, or Black Hoof, his x mark,		Nanawme, (for himself and brother A.
Kaysewaeseakah, his x mark,		Gin,) his x mark,
Weythapamattha, his x mark,		Marchand, his x mark,
Nianymseka, his x mark,		Wenameac, his x mark,
Waytheah, or Long Shanks, his x mark,		MIAMIS.
Weyapiersenwaw, or Blue Jacket, his x		Nagohquangogh, or Le Gris, his x mark,
[mark,		Meshekunnoghquoh, or Little Turtle, his x
Nequetaughaw, his x mark,		[mark,

## OTTAWAS.

Augooshaway, his x mark,  
 Keenoshameek, his x mark,  
 La Malice, his x mark,  
 Machiwetah, his x mark,  
 Thowonawa, his x mark,  
 Secaw, his x mark,

## CHIPPEWAS.

Mashipinashiwish, or Bad Bird, his x mark,  
 Nahshogashe, (from Lake Superior,) his x  
 [mark,  
 Kathawasung, his x mark,  
 Masass, his x mark,  
 Nemekass, or Little Thunder, his x mark,  
 Peshawkey, or Young Ox, his x mark,  
 Nanguay, his x mark,  
 Meenedohgeesogh, his x mark,  
 Peewanshemonogh, his x mark,  
 Weymegwas, his x mark,  
 Gobmaatick, his x mark,

In presence of, (the word "goods" in the 6th line of the 3d article; the word "before" in the 26th line of the 3d article; the words "five hundred" in the 10th line of the 4th articles, and the word "Piankeshaw" in the 14th line of the 4th article, being first interlined.)

H. De Butts, first A. D. C. and sec'y to Major Gen. Wayne,  
 Wm. H. Harrison, aid de camp to Major Gen. Wayne,  
 T. Lewis, aid de camp to Major Gen. Wayne,  
 James O'Hara, Quarter Master General,  
 John Mills, Major of Infantry, and Adjutant General.

Caleb Swan, P. M. T. U. S.  
 Geo. Demter, Lieut. Artillery,  
 Vigo,  
 P. Frs. La Fontaine,  
 Ant. Lasselle,  
 H. Lasselle,  
 Jn. Beau Bien,  
 David Jones, Chaplain U. S. S.  
 Lewis Beaufait,  
 R. Lachambre,  
 Jas. Pepen,  
 Baties Coutien,  
 P. Navarre,

## MIAMIS AND EEL RIVERS.

Peejeewa, or Richard Ville, his x mark,  
 Cochkepoghtogh, his x mark,

## EEL RIVER TRIBE.

Shamekunnesa, or Soldier, his x mark,

## MIAMIS.

Wapamangwa, or White Loon, his x mark,

## WEAS FOR THEMSELVES AND PIANKESHAWS.

Amacunsa, or Little Beaver, his x mark,  
 Acoolatha, or Little Fox, his x mark,  
 Francis, his x mark,

## KICKAPOOS AND KASKASKIAS.

Keeawhah, his x mark,  
 Nemighka, or Josey Renard, his x mark,  
 Paikeekanogh, his x mark,

## DELAWARES OF SANDUSKY.

Hawkinpumiska, his x mark,  
 Peyamawksey, his x mark,  
 Reyntueco, (of the Six Nations living at Sandusky,) his x mark,

## SWORN INTERPRETERS.

William Wells,  
 Jacques Lasselle,  
 M. Morins,  
 Bt. Sans Crainte,  
 Christopher Miller,  
 Robert Wilson,  
 Abraham Williams, his x mark,  
 Isaac Zane, his x mark.















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